

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24810 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- PHENHARA District- East Champaran

Vikash Sahani S/o Saheb Sahani R/o Vill.- Bishunpur Basant, P.S.- Phenhara,
Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Suraj Kumar Tiwari, Advocate
For the State	:	Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 274 and 275 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 50 litres illicit country made liquor was recovered in a sack from an open place. It is alleged that the same was kept by this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The



alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Civil Court, East Champaran at Motihari in connection with Phenara P.S. Case No. 147 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

