

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25108 of 2025

Arising Out of PS. Case No.-508 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Dashrath Sahani @ Dashrath Sahni S/o Late Makhan Sahani Resident of
village- Khartari Tola Lalbegiya, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Mufassil P.S. Case No. 508 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 44 litres
of liquor was recovered from E-Rickshaw.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
confessional statement of the co-accused Vivek Kumar and
Kamlesh Kumar. No incriminating article has been recovered



from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mufassil P.S. Case No. 508 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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