

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26949 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- BANJARIA District- East Champaran

MITHU SAHANI @ MITHU KUMAR S/O LATE MAHENDRA SAHANI
@ MAHENDRA SAHANI VILLAGE- JHAKIYA, PS- BANJARIYA
DISTRICT- EAST CHAMAPRAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2025

Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 274 and 275 of the B.N.S. and Sections 30(a) and 45 of the Bihar Prohibition and Excise (Amendment) Act.

3 . As per prosecution case, 50 litres country made liquor has been recovered from bank of *Jhakiya* river.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case . The name of petitioner transpired on the statement of local choukidar. No incriminating article has been recovered from conscious possession of this petitioner. The alleged illicit liquor has been recovered from an open place .



Petitioner has got 1 criminal antecedent of similar nature in which he is on bail.

5 . On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 the learned special Judge Excise Court No. 1 East Champaran Motihari in connection with Banjariya P. S. Case No. 158 of 2024 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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