

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32506 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- DHANAH District- West Champaran

Jitendra Sahani S/o Late Bira Sahani R/o Village- Rampur Cheknaka, Nitish
Nagar, PS- Laukariya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prerna Anand

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The prayer has been made by the petitioner for grant of regular bail registered for the offence under sections 30(a) of Bihar Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that total 46.8 liters of foreign liquor was recovered from a tempo which was kept under the seat concealed by an iron sheet.

4. Learned counsel for the petitioner submits that petitioner was driver of the seized tempo and he had no knowledge whatsoever that the seized article was kept concealed inside the auto. It is further submitted that back seat is also used by the passengers and the petitioner is not a permanent driver of the vehicle rather the owner of the vehicle used to get the said



tempo driven by other drivers too. There is no recovery from physical and conscious possession of the petitioner. There is no independent witness to the seizure list. The petitioner has no criminal antecedent and is in custody since 18.02.2025.

5. The learned APP opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, let the above name petitioner shall be enlarged on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Dhanaha P.S. Case No. 38 of 2025.

(Soni Shrivastava, J)

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