

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32497 of 2025

Arising Out of PS. Case No.-248 Year-2023 Thana- SUGAULI District- East Champaran

Jhunna Sahani, Male, aged about 26 years, Son of Danknath Sahani, Resident
of village - Godhigawan, P.S.- Sugauli, District - East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 248 of 2023 dated 20.06.2023 registered for the
offences punishable under Sections 272, 273 read with Section
34 of the I.P.C. and Sections 30(a), 32 and 41(1) of the Bihar
Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 60 litres of country
made liquor was recovered from three places, out of which, 20
litres of country made liquor was recovered from the orchard of
the petitioner and the co-accused Munna Sahani.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the



present case. The petitioner was not arrested on the spot. His name has come in the present case on the basis of the disclosure made by the local Chaukidars. The petitioner is neither the owner of the said orchard from which illegal liquor was recovered nor he has any connection with the illegal liquor. The petitioner has no concern with the alleged offence. No incriminating article has been recovered from the possession of the petitioner. The other co-accused person, namely, Munna Sahani, has already been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 83760 of 2023 vide order dated 19.01.2024. The petitioner has four criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 06.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Civil Court, East Champaran at Motihari, in connection with Sugauli P.S. Case No. 248 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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