

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31558 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1. Arvind Sahani @ Arvind Chaudhary S/o- Ram Chandra Sahani @ Ram Chandra Chaudhary Village- Hathiyahi Ps- Piprakothi Dist- East Champaran
2. Ramparvesh Sahani @ Ram Pravesh Chaudhary S/o- Ram Chandra Sahani @ Ram Chandra Chaudhary Village- Hathiyahi Ps- Piprakothi Dist- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Atul Kumar, Advocate Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s :		Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in a case in connection with Pipra Kothi P.S. Case No. 41 of 2024 dated 25.02.2024, registered for the offences punishable under Sections 272, 273, 308 and 328 of the Indian Penal Code and under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 100 litres of illicit country made liquor, gas cylinder and stove were



recovered from the bamboo garden of co-accused Jagjivan Sahani. It is further alleged that 2000 litres of pass was also recovered from the same place which was destroyed.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case merely on the basis of suspicion. No incriminating article has been recovered from their conscious possession. The recovery has been made from the bamboo garden of the co-accused Jagjivan Sahani and petitioners have no concern either with the co-accused Jagjivan Sahani or with the alleged recovery. The other co-accused person has already been granted regular bail by this Court *vide* order dated 08.04.2025 passed in Cr. Misc. No. 8312 of 2025. The petitioner no. 1 has two criminal antecedent and petitioner no. 2 has one criminal antecedent as mentioned in paragraph no. 3 of the bail application.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioners, let the petitioners named-above, in the event of their



arrest / surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, East Champaran, Motihari, in connection with **Pipra Kothi P.S. Case No. 41 of 2024**, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, on further condition:

(i) The petitioners are directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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