

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33688 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- RAGHUNATHPUR District- Siwan

Nagendra Sahani S/O Late Chande Sahani @ Chandradev Sahanee, R/o
Village- Gabhirar, P.S- Raghunathpur, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Raghunathpur P.S. Case No.59 of 2025 instituted under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
169.020 liters of foreign liquor near the Mashan Baba Chabutra in
village Gabhirar.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this case.
He further submits that on the disclosure statement of the
apprehended co-accused Brajesh Chauhan, the name of the
petitioner has been transpired in this case. Learned counsel
submits that the petitioner has no concern with the apprehended
co-accused and nothing has been found from the conscious
possession of the petitioner. He further submits that the place of



recovery is a public place, which does not belong to the petitioner. He also submits that seizure list has not been prepared properly and the same is doubtful. Learned counsel submits that except the disclosure statement of co-accused that the petitioner has fled away from the place of occurrence, there is no material against him. He further submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Judge 2nd, Siwan in connection with Raghunathpur P.S. Case No.59 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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