

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36549 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- GUTHANI District- Siwan

1. Pramod Sahani S/o- Triloki Sahani @ Trloki Mallah Resident of vill- Chitakhil PS- Guthani Dist- Siwan
2. Dharmraj Yadav S/o- Ramashrya Yadav Village- Tenua Ps- Guthani Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners submits that the present bail application has become infructuous in respect of petitioner no. 2, as he was arrested during the pendency of the bail application. Therefore, he is not pressing the bail application on behalf of petitioner no. 2.

3. The petitioner No. 1, namely, Pramod Sahani, is apprehending arrest in connection with Guthni P.S. Case No. 108 of 2025, dated 07.04.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution, total recovery of 45 litres of illicit liquor has been made from the motorcycle, which is the subject matter of the present case.

5. Learned counsel for the petitioner submits that



petitioner no. 1 is innocent and has committed no offence. He further submits that the motorcycle belongs to petitioner no. 1, but it had been given to a co-villager for some personal work, and petitioner no. 1 was completely unaware of the illegal activity. Counsel also submits that petitioner no. 1 has no criminal antecedent and undertakes that in future such mistake shall not take place.

6. Learned APP for the State opposes the prayer for bail of the petitioner No. 1.

7. As such, in the present facts and circumstances of this case, let the petitioner No. 1, namely, **Pramod Sahani**, be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court I, Siwan, in connection with Guthni P.S. Case No. 108 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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