

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36853 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- PIPRA District- East Champaran

Shivnath Sahani @ Shivnath Sahn, aged about 53 years, Male, son of Rameshwar Sahani, resident of Village - Tikuliya PS- Pipra, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raki Alam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-06-2025 Heard Mr. Mr. Raki Alam, learned counsel

appearing on behalf of the petitioner and Mr.Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Pipra P.S. Case No. 59 of 2025 registered for the offence(s) punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 60 litres of illicit liquor was recovered from the bush of a dam.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that recovery of illicit liquor has been made from the open space



which is easily accessible by anyone. Petitioner has no concern either with the place of recovery or with the alleged recovered liquor. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR and also the fact that recovery of illicit liquor has been made from the open space, which is easily accessible by anyone and also the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, East Champaran, Motihari / Concerned Court in connection with Pipra P.S. Case No. 59 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the



petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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