

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40895 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- GOVINDGANJ District- East Champaran

Shamal Sahani @ Samal Kumar @ Samal Kumar Sahni S/O Dashrath
Sahani R/O Village- Ijra, P.S.- Sangrampur, Dist- East Champaran at Motihari
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with
Govindganj P.S. Case No. 24 of 2025, registered under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 80 liters
liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submits that the petitioner was not present at the place of
occurrence. Name of the petitioner has transpired in this case
on the basis of confessional statement made by co-accused



person. It is next submitted that the petitioner is not the owner of the motorcycle in question. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 30.04.2025 passed in Cr. Misc. No. 26981 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Govindganj P.S. Case No. 24 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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