

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46433 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Daroga Sahani @ Daroga Kumar Chaudhary S/O Ramlal Sahani @ Ramlal Chaudhary R/O Vill.- Hathiyahi Ward no. 9, P.S.- Piprakothi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Piprakothi P.S. Case No. 307 of 2024 registered for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 50 liters of illicit liquor was recovered out of which 40 liters was recovered from the bamboo orchard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to police mechanism and maneuvering. He further submits



that nothing incriminating has been recovered from the conscious possession of the petitioner. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the co-accused Chhabila Sahani. He further submits that the alleged recovery of alleged illicit liquor has been made from the open place which is accessible to one and all and the petitioner has been implicated in this case only on the basis of suspicion. The petitioner has one criminal antecedent in which he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Ranjan Sahani has been granted anticipatory bail by this Court vide order dated 25.04.2025 passed in Cr. Misc. No. 26718 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-



named, in the event of his arrest or 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 the learned court below where the case is pending/successor court in connection with Piprakothi P.S. Case No. 307 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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