

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45530 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

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1. Mintu Sahani @ Mintu Kumar S/o Jilai Sahani Resident of village-Semuapur, P.S- Dumariyaghat, District-East Champaran
 2. Pappu Sahani @ Pappu Kumar Sahani S/o Jilai Sahani Resident of village-Semuapur, P.S- Dumariyaghat, District-East Champaran
 3. Munil Sahani S/o Jilai Sahani Resident of village-Semuapur, P.S- Dumariyaghat, District-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. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 01-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in a case registered
under Sections 30(a) and 41(1) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, there is recovery of 30
litres of illicit liquor from the motorcycle and 120 litres of illicit
liquor from the bush situated at Khetar Nahar. Allegation against
these petitioners is that they fled away from the spot identified
by the *Chaukidar*.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this



case only on the basis of disclosure made by *Chaukidar*. Further submission is that petitioners have no concern either with the seized illicit liquor or the motorcycle. No incriminating material has been recovered from the conscious possession of the petitioners. Petitioners have two criminal antecedents of similar nature in which, they are on bail. Petitioners undertake to cooperate in the investigation and trial.

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 concerned within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 101 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their



bail bonds by the Trial Court itself;

(ii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Sunil Dutta Mishra, J)

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