

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51936 of 2025

Arising Out of PS. Case No.-838 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Bishwanth Sahani @ Vishwanth Sahani S/O Bhuwali Sahani R/O Village-
Jhakhya, P.S.- Banjariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Tr. No. 977 of 2022 arising out of Excise P.S. Case No. 838 of
2019 for the offence registered under Sections 30(a), 36, 41(i) of
Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of
135 litres Indian made foreign liquor and a motorcycle at Veerta
Tola from the co-accused Raja Kumar.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case on the basis of confessional statement of co-accused Raja
Kumar who disclosed the name of his associates including the



petitioner. Petitioner was neither present on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner. Further submission is that petitioner has no concern with the seized liquor. Petitioner has one criminal antecedent. He undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 02, East Champaran at Motihari in connection with Excise P.S. Case No. 838 of 2019, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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