

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54952 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- Raghunathpur District- East Champaran

1. Jagan Sahani @ Raj Kumar Sahani son of Ganesh Sahani Vill - Majhariya, P.S - Raghunathpur, Dist - East Champaran
2. Manoj Sahani @ Manoj Kumar Sahani Son of Ganesh Sahani Vill - Majhariya, P.S - Raghunathpur, Dist - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Raghunathpur P.S. Case No. 84 of 2025 instituted under Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on the basis of secret information, police raided and found 90 litres of country made liquor from a jute sack near the bank of Majhariya River and the petitioner fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case only on the basis of suspicion. The seized liquor was recovered from the open place. There is no independent witness in the seizure list. Petitioners were not present on the spot and



have no concern with the seized liquor or place of occurrence. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioners. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has two criminal antecedent out of which one belongs to Excise Act and they undertakes 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 below within six weeks from today, the petitioners be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Raghunathpur P.S. Case No.84 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

Raj Ranjan/-

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