

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59920 of 2025

Arising Out of PS. Case No.-292 Year-2023 Thana- HARSIDHI District- East Champaran

Rahul Sahani S/o Hiranand Sahani R/o vill - Harsihi, Damovriti, Ps- Harsidhi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Sections 272, 273 of I.P.C. and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. There is recovery of 35 litres country made liquor
and 1400 litres of semi-prepared liquor from *Chawar*.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on the basis of disclosure made by local *chaukidar*.
Petitioner was not apprehended on the spot. Nothing has been
recovered from conscious possession or from the house of the
petitioner. Petitioner has no concern with the seized liquor. The
alleged recovery has been made from the *Chawar* which is open



place accessible to public at large. Charge sheet has already been submitted after investigation and there is no chance of tampering with the evidence or absconding the petitioner. Petitioner has eight criminal antecedents of similar nature in which he is on bail. Petitioner is in jail since 07.04.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, East Champaran at Motihari in connection with Harsidhi P.S. Case No.292 of 2023 subject to the condition(s) that:

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court itself;

(ii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at



liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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