

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60842 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- BANJARIA District- East Champaran

1. Mirtun Sahani @ Mirtujay Sahani S/o Rajesh Sahani @ Rajesh Kumar Sahani, Resident of Village- Chichurahiya, P.S.- Banjariya, East Champaran, Bihar.
2. Anurag Sahani S/o Rajesh Sahani @ Rajesh Kumar Sahani, Resident of Village- Chichurahiya, P.S.- Banjariya, East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Petitioners apprehend arrest in a case registered under Sections 274, 275 of Bharatiya Nyaya Sanhita, 2023 and Sections 30(a) & 41 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 50 litre illicit country made liquor kept in plastic bag from the private land of father of the petitioners.

4. Learned counsel for the petitioner submits that petitioners are innocent and have falsely been implicated in this case. He further submits that petitioners have no concern with the alleged seized liquor. Learned counsel submits that the place from where the alleged recovery has been made is a private land which does not belong to the petitioners or their family



members. He further submits that petitioners were not present on the spot and no incriminating article has been recovered from their conscious possession. Learned counsel submits that the place of recovery is an open place and easily accessible to public at large. He further submits that petitioners have got clean antecedent and they 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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 Court concerned in connection with Banjariya P.S. Case No.128 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ritik/-

U		T	
---	--	---	--

