

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56000 of 2025

Arising Out of PS. Case No.-321 Year-2025 Thana- SUGAULI District- East Champaran

Amiri Sahani S/o Hiralal Sahani, R/o Village- Mehwa, P.S.- Sugauli, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 19-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sugauli P.S. Case No.321 of 2025 for the offences registered
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, there is recovery of 30 litre
country made liquor kept in a gallon from the motorcycle bearing
Registration No. BR-22L-1319 on which petitioner and other co-
accused were riding. The petitioner alongwith other co-accused
tried to flee away from the spot after seeing the police but were
apprehended on chase.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.
He further submits that petitioner is neither owner nor driver of
the seized motorcycle. Learned counsel submits that no
incriminating article has been recovered from the conscious



possession of the petitioner. He further submits that petitioner has no concern with the alleged seized liquor. Learned counsel submits that there is no independent witness to the seizure-list, which is violation of Section 103 of B.N.S.S. He further submits that similarly situated co-accused, namely, Vishlal Sahani @ Vishal Sahani had already been granted regular bail by this Court *vide* order dated 21.08.2025 passed in Cr. Misc. No.56295 of 2025. Learned counsel submits that petitioner is in custody since 16.06.2025, having three criminal antecedents of similar nature, in which he is on bail and he undertakes to co-operate in the investigation and trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and the period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court of learned Exclusive Special Excise Court No.1, Motihari, East Champaran in connection with Sugauli P.S. Case No.321 of 2025.

(Sunil Dutta Mishra, J)

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