

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56603 of 2025

Arising Out of PS. Case No.-586 Year-2022 Thana- HARSIDHI District- East Champaran

Mishrilal Sahani @ Mishri Sahani S/o Late Santu Sahani Resident of village -
Damoviriti, P.S.- Harsidhi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 25-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 30(c) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 10 litres of illicit liquor, gas stove and utensils thrown by accused persons were recovered from the Damovriti 'chawar'. This petitioner is alleged to be fled away along with other accused persons from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to six criminal antecedents. Further submission is that the recovery is from open place easily accessible to anyone. Petitioner was not present on the spot and he has no concern



with the seized materials. Nothing has been recovered from conscious possession of the petitioner. Petitioner has six criminal antecedents of similar nature in which he is on bail. There is no chance of his absconding or tampering with the evidence. Petitioner is in custody since 24.06.2025. The charge-sheet after completion of investigation has already been filed and petitioner undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, 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 the Court concerned in connection with Harsidhi P.S. Case No.586 of 2022 with further conditions:-

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

(ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of the bail bond;

(iii) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bond.

(Sunil Dutta Mishra, J)

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