

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57850 of 2025

Arising Out of PS. Case No.-346 Year-2025 Thana- HARSIDHI District- East Champaran

Mantosh Sahani S/o Narad Sahani R/o Village - Pakdiya Tola, Kubra, Ward
No. -16, P.S - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Harsidhi P.S. Case No. 346 of 2025 for the offences registered
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 75 litres country made liquor
from the back side of the house of the petitioner. Petitioner
managed to flee away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to his three criminal antecedents. Petitioner was not
present on the spot. Nothing has been recovered either from the
possession of the petitioner or from his house. There is no
independent witness to the seizure-list. Petitioner is in judicial



custody since 25.06.2025. Charge-sheet has already been submitted. There is no chance of tampering with the evidence or absconding of the petitioner.

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 period of custody, let the petitioner, named above, be enlarged on bail upon 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 Judge-I/concerned Court, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 346 of 2025, subject to following conditions:-

- (I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.
- (II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on failure on two consecutive dates without sufficient reason, the trial Court may cancel the bail of the petitioner.

(Sunil Dutta Mishra, J.)

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