

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61027 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- SUGAULI District- East Champaran

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Madan Sahani S/O Bhikhari Sahani @ Bhikhari Sahni R/V Muswa, Bherihari,
P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Renuka Ratnakar(App125)

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 254 of 2025 instituted for the offences punishable
under Section 30(a), 41(1) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 105
litres of liquor was recovered, out of which 45 litres were
recovered from the sac, 50 litres from the Bhatti and 10 litres
from the motorcycle.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case on
the basis of suspicion. No incriminating article has been
recovered from the conscious possession of the petitioner.



Learned counsel further submitted that petitioner is in no manner connected with the vehicle in question or the alleged recovery of liquor. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The petitioner is in custody since 05.07.2025 and has three criminal antecedents. Petitioner undertakes to cooperate in the trial of the case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case No. 254 of 2025, with further conditions that:-

(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 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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