

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58609 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- SUGAULI District- East Champaran

1. Subhash Sahani Son of Bhikhari Sahani Resident of village -Bhediary PS-Sugauli District- East Champaran
2. Madan Sahani son of Bhikhari Sahani Resident of village -Bhediary PS-Sugauli District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Sugauli
P.S. Case No. 97 of 2025 instituted for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 100 litres
of liquor has been recovered from gallon.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
No incriminating article has been recovered from the conscious
possession of the petitioners rather the recovery has been made
from an open place which is accessible to public at large. The



petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 28.06.2025. Petitioner no. 1 has five criminal antecedent whereas petitioner no. 2 has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case No. 97 of 2025.

(Rudra Prakash Mishra, J)

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