

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59681 of 2025**

Arising Out of PS. Case No.-543 Year-2024 Thana- TURKAULIYA District- East
Champaran

Mithu Sahani @ Mithu Kumar Son of Mahendra Sahani @ Mahendra Sahnai
@ Mahendra Sahni R/O Vill- Jhakhiya, P.S.- Banjariya, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv
For the State : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Turkauliya P.S. Case No. 543/2024, dated
19.12.2024 registered for the offences punishable under
Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act.

3. As per allegation, the petitioner was seen carrying
100 litre of illicit liquor on motorcycle. However, after seeing
the police, he fled away leaving behind his motorcycle and the
illicit liquor

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the claim of the police that the



petitioner was carrying illicit liquor on motorcycle is totally false and baseless. He further submits that even the motorcycle does not belong to the petitioner and he has nothing to do with the alleged offence and there is no material on record to connect the petitioner with the alleged offence. He further submits that no prima facie case is made out against the petitioner and hence, the anticipatory bail is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection



with Turkauliya P.S. Case No. 543/2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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