

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60280 of 2025**

Arising Out of PS. Case No.-5 Year-2025 Thana- Raghunathpur District- East Champaran

Chhotelal Sahani @ Kanha, Son of Ram Bahadur Sahani, Resident of village  
- Majhariya, Police Station - Raghunathpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Manoj Kumar, 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 Raghunathpur P.S. Case No. 5 of 2025 for the offence registered under Sections 30 (a) and 41(1) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 32 litres of country made liquor recovered from two bags kept in the bush near bank of river at Majhariya village. It is alleged that the the petitioner fled away on seeing the police force.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to his two criminal antecedents of similar nature. He has no concern with the seized liquor or place of recovery.



Recovery was made from the bank of river near Majhariya village which is an open place accessible to all. Nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that except the disclosure statement made by the local people and spy there is nothing incriminating against the petitioner. Petitioner is in jail custody since 04.06.2025. The charge-sheet has already been submitted after completion of investigation. Petitioner undertakes to cooperate in the trial of the case.

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 and the submissions of learned counsel for the parties, nature of allegation and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran, in connection with Raghunathpur P.S. Case No. 5 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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