

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60469 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- Raghunathpur District- East Champaran

Chhotelal Sahani @ Kanha S/o Ram Bahadur Sahani, R/o Village- Majhariya,
P.S.- 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 26-09-2025 Heard learned counsel for the petitioner through video conferencing and learned A.P.P. for the State who is present in the Court.

2. The petitioner seeks regular bail in a case registered under Sections 30(a), 41, 52 of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 200 litre illicit country made liquor from the bush situated near the Baluahi river at Manjhariya Village. It is alleged that the petitioner alongwith co-accused persons have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to his criminal antecedents. He further submits that



petitioner was neither present on the place of occurrence nor he has any concern with the alleged seized liquor. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law. Learned counsel submits that petitioner is in custody since 21.06.2025, having three criminal antecedents of similar nature and chargesheet had already been submitted in this case after completion of investigation. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

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, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Raghunathpur P.S. Case No.104 of 2025 with following conditions:-



(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 their bail bonds by the Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(iii) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Sunil Dutta Mishra, J)

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