

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60371 of 2025

Arising Out of PS. Case No.-618 Year-2020 Thana- SUGAULI District- East Champaran

Jhulan Sahani S/o Vinod Sahani R/o Village- Godigawan (Gorigawan), P.S.-
Sugauli, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Sugauli P.S. Case No. 618 of 2020 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per prosecution case, on the basis of secret information 10 litre country made liquor was recovered from the bamboo clump situated outside the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that source of information has not been disclosed in the FIR which questions the authenticity of the prosecution story. No incriminating article has been recovered from possession of the petitioner. Place of recovery is an open place and petitioner cannot be held responsible for the alleged recovery. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Exclusive Special
Excise Court-1, East Champaran, Motihari in connection with
Sugauli P.S. Case No. 618 of 2020, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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