

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60370 of 2025

Arising Out of PS. Case No.-333 Year-2025 Thana- BANJARIA District- East Champaran

1. Santosh Sahani @ Santu Sahani S/O Kalika Sahani R/O Vill.- Gokhula Bazar, P.S.- Banjariya, Dist.- East Champaran.
2. Rajdev Mukhiya S/O Late Budha @ Late Budhan Mukhiya R/O Vill.- Gokhula Bazar, P.S.- Banjariya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners seek regular bail in a case registered under Sections 274, 275 of B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 35 litres country made liquor from plastic bag tied over the motorcycle and petitioners were apprehended on the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioners are not the owner of the seized motorcycle and the alleged recovery of illicit liquor does not belong to them.



When petitioners were coming on the motorcycle, only on the basis of suspicion, they were apprehended on the spot. Nothing has been recovered from conscious possession of the petitioners. There is no independent witness of the seizure list. Charge sheet has already been submitted after investigation and there is no chance of tampering with the evidence or absconding the petitioners. Petitioner no.1 has three criminal antecedents of similar nature in which he is on bail and petitioner no.2 has no criminal antecedent. Petitioners are in jail since 17.06.2025 and they undertake to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court -1, East Champaran, Motihari in connection with Banjariya P.S. Case No.333 of 2025.

(Sunil Dutta Mishra, J)

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