

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61698 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- SUGAULI District- East Champaran

Pradeep Sahani @ Pradeep Kumar S/o Jatta Shankar Sahani @ Jatindra Sahani @ Jattashankar R/o Village - Mehwa, P.S - Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 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. 128/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 130 liters country made wine from the field. Apprehended co-accused Brajkishore Sahani and others disclosed the name of the petitioner who fled away from the place of occurrence.

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



in the FIR. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioner bears one criminal antecedent in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not the owner of the said field. The petitioner is not in any way connected with the alleged occurrence. There is no compliance of Sections 103 / 103(4) of the B.N.S. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

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

6. Considering the facts and circumstances of the case, 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 Court of Exclusive
Special Excise Court-1 / Concern Court, Motihari, East
Champaran in connection with Sugauli P.S. Case No. 128/2025,
subject to the conditions as laid down under Section 482 (2) of
the B.N.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

