

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62134 of 2025

Arising Out of PS. Case No.-358 Year-2025 Thana- SUGAULI District- East Champaran

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Vinod Sahani S/o Rupan Sahani @ Rupan Sahni Resident of vill- Muswa,
Bherihari, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Sugauli P.S. Case No. 358 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, on the basis of secret information, the police started checking of vehicles and in due course the petitioner was found transporting 100 liters of country made liquor on his motorcycle and he was apprehended by the police. The recovered country made liquor as well as motorcycle of the petitioner were seized.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the conscious possession of the petitioner and the recovery shown from the petitioner is planted. The petitioner has no concern either with the seized liquor or the motorcycle on which it is said to be transported nor the petitioner is the owner of the alleged motorcycle. The petitioner has been named in this case merely on saying of local *chowkidar* and except this, there is no material against the petitioner to show his complicity in the alleged offence. Further, recovery has been made from an open place which is accessible to all and initially, the petitioner was not named in this case, but he has been implicated due to his antecedent. The petitioner is having clean antecedent and is in custody since 03.07.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Motihari, East



Champaran/court concerned in connection with Sugauli P.S.
Case No. 358 of 2025, subject to the conditions mentioned in
Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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