

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62109 of 2025

Arising Out of PS. Case No.-367 Year-2025 Thana- SUGAULI District- East Champaran

Kanhai Sahani @ Kanhaiya Sahani S/o Late Hari Sahani R/o Village - Muswa
Bhediyari / Bherihari, 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, Adv
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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. 367 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received information about petitioner manufacturing illicit liquor. A raid was conducted at the identified place. One person who is stated to be the petitioner fled away from the spot. On search of the said place, recovery of 80 liters of country made *chulail* liquor was made

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 person or possession of the petitioner, who was not apprehended from the spot. The recovery has been made from an open place which is accessible to all and the petitioner has no concern with the seized liquor and other seized articles. The petitioner is in custody since 11.07.2025. The petitioner is having antecedent of two cases and he is on bail in both the cases.

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 fact that no recovery has been shown from the conscious possession of the petitioner and also considering the period of custody of the petitioner, 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 Court No. 1, Motihari, East Champaran/court concerned in connection with Sugauli P.S. Case No. 367 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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