

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66539 of 2025

Arising Out of PS. Case No.-998 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Chuman Sahni S/O Bahram Sahani @ Lal Babu Sahni R/O Village-
Majhariya, P.S.-Raghunath Pur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for grant of
bail in connection with Trial No. 5812 of 2022 arising out of
Excise P.S. Case no. 998 of 2019 registered under sections 30(a)
of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is a total recovery
of 36 litres of foreign liquor made near the bank of Majhariya
river.

4. Learned counsel for the petitioner submits that the
earlier application for bail of the petitioner was rejected vide
order dated 18.07.2025 passed in Cr. Misc. No. 44645 of 2025
with liberty to the petitioner to renew his prayer for regular bail
after framing of charge. The name of the petitioner has
transpired in this case only on the disclosure made by local
Chaukidar who has inimical terms with the petitioner. No



recovery was made from the physical and conscious possession of the petitioner and the place of recovery is an open place which is accessible to all. There was no independent witness to the seizure list thereby, violating the mandatory provisions of search and seizure. It has further been submitted that a similarly situated co-accused has already been granted anticipatory bail vide order dated 15.05.2025 passed in Cr. Misc. No. 14840 of 2025 (Annexure-4). Learned counsel for the petitioner by way of Annexure-3 submits that charges have been framed in the learned Court below on 19.08.2025. The petitioner is in custody since 25.04.2025 and undertakes to cooperate in the case/trial.

5. The application for regular bail is opposed by learned A.P.P. for the State on the ground that the petitioner has sixteen criminal antecedents of similar nature. In response to the same, it has been submitted that the petitioner is on bail in all the sixteen cases.

6. Taking into consideration the aforesaid facts and circumstances and also considering that the co-accused Sanjay Chaudhry has already been granted anticipatory bail and charges have been framed in the learned Court below on 19.08.2025, the petitioner, above named is directed to be enlarged on bail in connection with Trial No. 5812 of 2022



arising out of Excise P.S. Case no..998 of 2019 on furnishing
bail bond of Rs.10,000/- (Rupees Ten Thousand) with two
sureties of the like amount each to the satisfaction of the learned
Court below where the case is pending/successor Court.

(Soni Shrivastava, J)

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