

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63089 of 2025

Arising Out of PS. Case No.-370 Year-2024 Thana- MOTIPUR District- Muzaffarpur

Mohan Sahani @ Mohan Kumar S/o Yogendra Sahani R/o Village - Chakki
Jamalabad, P.S - Motipur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Motipur P.S Case no.370 of 2024, registered under section 317(5) of the Bhartiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, while 74 litres of liquor was recovered from the *bathan* of Vikky Kumar, 3 litres of liquor was recovered from the motorcycle. It is further stated that the three accused persons including the petitioner herein managed to escape.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession and he has no concern with the vehicle from which the alleged recovery is said to have taken place. The petitioner



has been falsely implicated in the case because of his antecedent. He undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, his not having any concern with the alleged place of recovery and his name transpiring in the statement of a co-accused made before police, in the facts of the case, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Motipur P.S Case no.370 of 2024 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 Exclusive Special Judge, Excise Court no.II, Muzaffarpur.

(Partha Sarthy, J)

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