

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65108 of 2025

Arising Out of PS. Case No.-219 Year-2025 Thana- HARSIDHI District- East Champaran

Bikash Sahani, S/o- Mishrilal Sahani, Resident of village- Damobriti P.S.-
Harsidhi ,District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-09-2025 1. Heard Mr. Abhishek Kumar, learned counsel for
the petitioner and Ms. Pushpa Sinha, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Harsidhi P. S. Case No. 219 of 2025, dated 21.04.2025,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 210 litres of country-made liquor kept in three bags
and a chawar near the bank of Damobriti river and as per the
prosecution seven persons were involved in storing, smuggling
and keeping the alleged liquor at the alleged place but the
petitioner's name surfaced only in the disclosure made by the
local police chowkidar and except this, there is nothing to show



the petitioner's involvement in the alleged recovered liquor and the same is not sufficient to attract the alleged offence under which the FIR has been registered even *prima facie* against this petitioner, hence, his prayer for anticipatory bail is not hit by the provisions of Section 76(2) of the Excise Act. It is further submitted that one co-accused Chhotan Sahani @ Chhotar Sahani carrying similar nature of allegations has been granted anticipatory bail by the co-ordinate bench of this court vide order dated 16.09.2025 passed in Cr. Misc. No. 58210 of 2025 and one co-accused Jay Prakash Sahani has been granted regular bail by the co-ordinate bench of this court vide order dated 18.06.2025 passed in Cr. Misc. No. 37526 of 2025.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case as well as considering the submissions as stated above and coupled with petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Harsidhi P. S. Case No. 219 of 2025, on



furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand)
with two sureties of the like amount each to the satisfaction of
the Court concerned, subject to the conditions as laid down
under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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