

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66841 of 2025

Arising Out of PS. Case No.-728 Year-2024 Thana- HARSIDHI District- East Champaran

Chuman Sahani S/O Late Raja Sahani R/O Village-Damobriti Ward No. 13,
P.S- Harsiidhi, District- East Champaran, Motihari.

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Harsidhi P.S. Case No. 728 of 2024 dated 31.12.2024, instituted
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

3. The allegation is of recovery of 104 litres country
made liquor from the place situated in front of the house of co-
accused, Raju Sahni.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession or from the house of the
petitioner rather the said illicit liquor has been recovered from



the place situated in front of the house of co-accused, Raju Sahni. It is next submitted that the petitioner has been made accused in this case only on the basis of disclosure made by local Chowkidar. Lastly, it has been submitted that petitioner has three criminal cases against him of similar nature.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Harsidhi P.S. Case No. 728 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Judge Court No. 1, East Champaran, Motihari, subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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