

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66680 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Aniket Kumar @ Baua S/o Mahaveer Sahani @ Mahaveer Chaudhry @ Mahaveer Chaudhari R/o Village - Hathiyahi, P.S - Pipra Kothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Piprakothi P.S. Case No. 23 of 2025 registered for the alleged offences Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received information about petitioner manufacturing illicit liquor in a Jungle. A raid was conducted and the petitioner is stated to have fled away from the spot along with co-accused Abhimanyu Sahani. On search of the place, recovery of 42 liters of India made foreign liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner has not been apprehended from the spot and nothing incriminating has been recovered from his person or possession. The recovery has been shown from an open place which is accessible to all and the petitioner could not be fastened with liability of said recovery. The identity of the petitioner is doubtful for showing his complicity in the present case. The petitioner is having antecedent of one case and he is on bail in that case. The petitioner is in custody since 09.06.2025 and charge-sheet has been submitted.

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 the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the period of custody of the petitioner along with submission of charge-sheet, 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 Judge-I, East Champaran, Motihari/court concerned in connection with Piprakothi P.S. Case No. 23 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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