

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69862 of 2025

Arising Out of PS. Case No.-745 Year-2023 Thana- HARSIDHI District- East Champaran

Chandan Sahani @ Chandan Kumar Son of Baidhnath 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, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Harsidhi P.S. Case No. 745 of 2023 for the offence registered
under Section 30 (a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 60 litres of
country made liquor recovered from the outside of hut of co-
accused Rahul Sahani. The accused persons fled away from the
place of recovery who were identified by the local people and
choukidar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case due to village politics. Petitioner was not present at the
place of recovery. He has no concern with the seized liquor or



place of recovery. Recovery was made from the outside of the hut of the co-accused Rahul Sahani which is an open place accessible to all. Nothing has been recovered from the conscious possession of the petitioner. He further submits that except the disclosure statement made by the local people and choukidar there is nothing incriminating against the petitioner. Similarly situated co-accused Rahul Sahani has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 22.03.2025 passed in Cr. Misc. No.7101 of 2025. Petitioner is in jail custody since 04.06.2025, having three criminal antecedents out of which one case is similar nature. The charge-sheet has already been submitted after completion of investigation and petitioner undertakes to cooperate in the trial of the case.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, nature of allegation and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise



Court No. 1, Motihari, East Champaran, in connection with
Harsidhi P.S. Case No. 745 of 2023, with further conditions
that:-

(i) The petitioner shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial Court itself.

(ii) The petitioner shall desist from committing any
such criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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