

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72715 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- Haraiya District- East Champaran

Pappu Sah Son of Bachacha Sah @ Bachha Sah R/o Village- Pantoka, P.S. -
Haraiya, District - East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Haraiya P.S. Case No. 89 of 2025, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022

3. As per the prosecution case, police received secret information about petitioner trying to smuggle illicit liquor to Nepal. Police reached the place and found a person carrying two bags in his hands who fled away from the spot on seeing the policy party throwing the bag in river and made good his escape. The villagers and the local chowkidar identified the escaped person as this petitioner. From the plastic bags thrown by the petitioner recovery of 18 litres country made Nepali liquor was made.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not apprehended from the spot. The petitioner has been made an accused in this case merely on the basis of suspicion. The petitioner has no criminal antecedent and is in custody since 12.08.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission 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 him and also considering his clean antecedent, period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran, Motihari in connection with Haraiya P.S. Case No. 89 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.

(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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