

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74174 of 2025

Arising Out of PS. Case No.-77 Year-2022 Thana- SUGAULI District- East Champaran

Purushotam Sahani S/o Bhandol Sahani @ Amirilal Sahani R/o vill- Mehwa,
Ps- sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 77 of 2022 instituted for the offences under
Sections 30(a)(b)(c) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 550 liters Pass from the Mango orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner rather
the alleged illegal wine has been recovered from an open place



accessible to one and all. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the local Choukidar. The alleged Mango orchard does not belong to the petitioner. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 22.08.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case No. 77 of 2022.

(Rudra Prakash Mishra, J)

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