

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72894 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- EXCISE MADHUBAN District- East
Champaran

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Sonalal Sahni S/O Late Bulla Sahni @ Late Bula Sahani Resident of village-
Paithaniya (Chhota Paithaniya), P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Excise Madhuban P.S. Case No. 104 of 2025 dated 28.05.2025,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 800 litres *Jawa*
Mahua semi fermented liquor from beneath of soil in the
Baisaha Orchard.

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



liquor has been recovered from an orchard which does not belong to the petitioner. It is submitted that the petitioner has been made accused only on the basis of disclosure made by the local people of the area. Lastly, it has been submitted that he has three criminal cases of similar nature against him.

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 Excise Madhuban P.S. Case No. 104 of 2025, 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 Exclusive Special Excise Court No. 2, East Champaran at Motihari, subject to condition as laid down under Section 482(2) of 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 shall appear before the Police Station of his local area in the first week of each month till framing of the charge/ disposal of the present case.

(Khatim Reza, J)

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