

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76299 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- BANJARIA District- East Champaran

Santosh @ Santu Sahani @ Santosh Sahani S/O Kalitar Sahani @ Kalika Sahani R/O Village- Siswa Nayka Tola , P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv
For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Banjariya P.S. Case No. 229 of 2025, instituted for the offences punishable under Sections 274,275,317(5) of the B.N.S. and sections 30(a)/41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 50 liters of country made liquor was recovered from three motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted



that apprehended co-accused disclosed the name of the petitioner. It is further submitted that motorcycles in question do not belong to the petitioner. The petitioner is in custody since 21.08.2025 and has got seven criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed*** 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 Banjariya P.S. Case No. 229 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

krishnakant/-

U		T	
---	--	---	--

