

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74495 of 2025**

Arising Out of PS. Case No.-488 Year-2025 Thana- MOTIHARI MUFASIL District- East  
Champaran

Ashok Sahani S/o Bhagan Sahani @ Bhagan Sahni Resident of village  
-Tikuliya Dhab Tola, P.S- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

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

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

ORAL ORDER

2      01-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Muffasil P.S. Case No. 488 of 2025 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered  
total 20 liters of illicit country-made liquor from the motorcycle.  
The petitioner was arrested on the spot.

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  
due to highhandedness of the police. He further submits that  
nothing incriminating has been recovered from the conscious  
possession of the petitioner or from his house. The petitioner is



not the owner of the alleged motorcycle. The petitioner has also no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit 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 no criminal antecedent and is languishing in judicial custody since 27.07.2025 without any rhyme 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 and the petitioner having no criminal antecedent, 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 Muffasil P.S. Case No. 488 of 2025.

**(Rudra Prakash Mishra, J)**

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