

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83966 of 2025

Arising Out of PS. Case No.-311 Year-2023 Thana- SUGAULI District- East Champaran

Arvind Sahani, S/o- Nawal Sahani, r/o Village- Gorigaba, P.S.-Sugauli,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar, Advocate.

For the State : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Sugauli P.S. Case No. 311 of 2023 dated 28.07.2023 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code, Sections 30(a), 32 and 41(1) of Bihar Prohibition and Excise (Amendment) Act.

3. As per allegation, 20 litres of illicit liquor has been recovered from two gallons lying in the orchard. As per further case of the Police, when the Police reached the orchard, two persons after throwing the gallons fled away on seeing the Police. It is further alleged that as per local *chowkidar* the persons who fled away, were the petitioner and co-accused Harilal Sahni.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that recovery has been made from an open space accessible to public at large. He also submits that only on suspicion the petitioner has been implicated in this case. As a matter of fact, the petitioner is nothing to do with the alleged offence. He was not present at the place of occurrence as alleged. There is nothing on record to connect the petitioner in the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Sugauli P.S. Case No. 311 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

S.Ali/-

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

