

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79491 of 2025

Arising Out of PS. Case No.-271 Year-2025 Thana- SUGAULI District- East Champaran

Tufan Sahani @ Rupesh Kumar S/o Kanahi Sahani @ Kanhai Sahani R/o
Village- Muswa, Bherihari/Bhedihari, P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore Alias Kundan Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-12-2025 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Sugauli Police Station Case No. 271 of 2025, disclosing offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report is that on 24.05.2025, informant received a secret information that illegal liquor manufacturing unit was being run by the petitioner and co-accused near the open land. As per the information, police reached the place of occurrence and upon seeing the police party, co-accused person, namely, Golu Sahni including the



petitioner, started fleeing away and succeeded in the same. Police recovered total 220 liters of illicit country-made liquor from the open field as well as motorcycle for which the police had got the information that petitioner was carrying the liquor on the Honda CD motorcycle.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of secret information and disclosure of his name by the choudidar and villagers. The illicit liquor has not been recovered from the premises belonging to the petitioner and/or vehicle owned by him.

5. Having considered the rival submissions made by the parties and considering the fact that petitioner is not the owner of the motorcycle as well as the place from where the liquor has been recovered, does not belong to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.01/concerned court Motihari, East Champaran, in connection with Sugauli Police Station Case No. 271 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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