

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1077 of 2025

Arising Out of PS. Case No.-444 Year-2021 Thana- HARSIDHI District- East Champaran

Bikash Sahani @ Vikash Sahani S/o- Mishrilal Sahani @ Mishri Sahani
Resident of village- Damobriti Ps- Harsidihi District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Harsidhi P.S. Case No. 444/2021 dated 10.11.2021 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act and 272 and 273 read with Section 34 of the I.P.C.

3. As per the prosecution case, total 20 litres of illicit country-made liquor, 3 gas cylinders were recovered near the house of the petitioner and co-accused person.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The recovery is from an open place which is accessible to anyone. The petitioner was not apprehended on the spot. The petitioner has no concern with the alleged recovery. The petitioner has eight antecedents and he is on bail in all the aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 12.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 444/2021, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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