

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89210 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- KESARIA District- East Champaran

Baban Sahani S/O Shambhu Sahani, Resident of Village- Lohargaonwa,
Police Station-Kesariya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate.

For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

- 2 22-12-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends arrest in a case registered
under Sections 274, 275 of B.N.S. & Section 30(a) of Bihar
Prohibition and Excise Act.
3. As per the prosecution case, on getting secret
information, 125 litre of country made liquor was recovered
near *Lohargaonwa Chaur*. It is alleged that the petitioner fled
away from the spot on seeing the police team.
4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the alleged recovery has been
made from an open place which is accessible to public at large
and due to village politics, the name of petitioner has been



dragged in this case. Learned counsel submits that petitioner was not present on the spot and he has no concern with the alleged seized liquor or the place of occurrence. He further submits that there is no independent witness to the seizure list. Learned counsel submits that after lodging of this case, the petitioner has been named in one another case also. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Kesariya P.S. Case No.331 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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