

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18499 of 2026

Arising Out of PS. Case No.-723 Year-2025 Thana- HARSIDHI District- East Champaran

Nandu Sahani @ Nandu Kumar Son of Lalan Sahani @ Lalan Sahni Resident
of Village- Panchbhirwa, Damovriti, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2026 Heard Mr. Dhurendra Kumar, learned counsel for the

petitioner and Mr. Sanjay Kumar Sharma, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.01.2026 in connection with Harsidhi P.S. Case No. 723 of
2025, F.I.R. dated 24.10.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 200 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has
been made from the tempo in question and petitioner is not the



owner of the said tempo in question. He further submits that there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 11.01.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries nine criminal antecedents other than the present one but fairly submits on the basis of the supplementary affidavit filed on behalf of the petitioner that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Exclusive Special Excise Court No.-1, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 723 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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