

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26758 of 2026

Arising Out of PS. Case No.-473 Year-2025 Thana- SUGAULI District- East Champaran

Hari Kumar @ Hari Sahani S/o Pramod Sahani Resident of Village - Mehwa,
P.S - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sugauli P.S. Case No. 473 of 2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that in a hutment behind the house of the petitioner, altogether 180 liters of illicit country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR itself, it is clear that nothing has been recovered from the possession of the



petitioner, rather the recovery has been made from a hutment behind the house of the petitioner. He further submits that the witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioner is languishing in judicial custody since 17.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 01, Motihari, East Champaran in connection with Sugauli P.S. Case No. 473 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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