

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30152 of 2026

Arising Out of PS. Case No.-113 Year-2025 Thana- SUGAULI District- East Champaran

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Vinay Kant Sahani S/O Kishori Sahani R/O Village- Mehwa, P.S.- Sugauli,
Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 317(5) B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that altogether 395 litres of country-made liquor were recovered from a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that three persons were apprehended at the place of occurrence,



whereas it is alleged that the petitioner fled away from the spot. It is further submitted that the name of the petitioner has transpired on the basis of the confessional statement of the co-accused persons. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner and the seizure witnesses are police personnel. It is also submitted that the police did not comply with the mandatory provisions of Section 105 of the BNSS while effecting the seizure. The petitioner is stated to have criminal antecedents in three cases. Moreover, the petitioner is languishing in judicial custody since 19.01.2026.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the prayer for bail of the petitioner is allowed with the condition that he shall not indulge himself in offences of similar nature in future.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sugauli P.S. Case No.113 of 2025 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 Judge Court No. 1, Civil court, East Champaran,
Motihari.

(Ashok Kumar Pandey, J)

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