

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32181 of 2026

Arising Out of PS. Case No.-149 Year-2026 Thana- SUGAULI District- East Champaran

Premchandra Sahani S/o Rajendra Sahani @ Devendra Sahani @ Debendra
Sahani R/o Vill- Mehwa, PS- Sugauli, Distt- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Kundan Rathore, learned counsel for the

petitioner and Ms. Meena Singh, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.03.2026 in connection with Sugauli P.S. Case No. 149 of
2026 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The case of the prosecution, in short, is that the
allegation against the petitioner is of recovery of 170 liters of
country made liquor from the place of occurrence.

4. Learned counsel for the petitioner submits that it
appears from the FIR that nothing has been recovered from the
conscious possession of the petitioner rather the recovery of 170
liters of country made liquor has been made from the place of



occurrence. It is next submitted that the name of the petitioner has transpired on the basis of disclosure made by local chowkidar and except the aforesaid nothing has come to suggest the involvement of the petitioner with the present occurrence and petitioner is in custody since 19.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case other than the present case but fairly submits that petitioner is on bail in the pending matter.

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/Concern Court, East Champaran, Motihari in connection with Sugauli P.S. Case No. 149 of 2026, 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)

Gaurav Sinha/-

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