

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35062 of 2026

Arising Out of PS. Case No.-624 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Mukesh Sahani, Male aged about 30 years, Son of Chhatri Sahani @ Chandri
Sahani, Resident of Village- Jhakhiya, P.S.- Banjariya, District- East
Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner is in custody in connection with
Raghunathpur, P.S Case No. 624 of 2023 registered for the
offence punishable under Sections 272, 273 B.N.S., 30(a) and
41(1) of the Bihar Prohibition and Excise Act..

3. As per allegation in the FIR, there is recovery of
total 70 liters of country made liquor near the Majhariya river.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next



submits that nothing has been recovered from the conscious possession of the petitioner. It is also submitted that petitioner is not present at the place of occurrence rather he has been identified by the local *chowkidar*. He further submits that petitioner is in judicial custody since 09.01.2026 having fourteen criminal antecedents.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 01.04.2026, it appears that there is recovery of 70 liters of country made liquor near the Majhariya river and not from the conscious possession of the petitioner. Moreover there is no independent witness to the seizure list. Therefore, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on regular bail on furnishing bail bonds 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 East Champaran, Motihari in connection with Raghunathpur, P.S Case No. 624 of 2023 subject to condition that petitioner shall appear each and every date fixed by the trial Court till the



conclusion of the trial and if the petitioner does not present any
of the said date the trial Court may cancel the bail bonds of the
petitioner.

(Ramesh Chand Malviya, J)

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