

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33883 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- PIPRAKOTHI District- East Champaran

1. Nitesh Kumar, aged about 25 years, Gender-Male, Son of Bishwanath Sahani @ Vishwanath Sahani, Resident of village- Chhota Bariyapur, P.S.- Chhatauni, District- East Champaran.
2. Raj Kumar Sahani, aged about 30 years, Gender-Male, Son of Late Motilal Sahani. Resident of Village - Harpurkrah, P.S.- Bariyapur, District- Saran (Chhapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

2. The petitioners seek bail in connection with
Piprakothe P.S. Case No. 91 of 2026, instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act 2022.

3. As per allegation in the FIR, total 1235.52 litres of
English liquor has been recovered from a truck bearing
Registration No. JH02BM-9951.

4. Learned counsel for the petitioners submit that the
petitioners are innocent and have committed no offence and
have falsely been implicated in this case merely on the basis of



dirty village politics. He submits that nothing incriminating articles have been recovered from the conscious possession of the petitioners or from their house. He further submits that the petitioners have no concern with the alleged occurrence as well as seized liquor and truck. He next submits that nothing has been recovered from the conscious possession of these petitioners. He lastly submits that the petitioners were not present at the place of occurrence. Petitioners have got clean antecedent as stated in para 3 of the petition and he is in custody since 21.02.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioners.

6. From perusal of the FIR and impugned order of the learned Exclusive Special Excise Court No.1, Civil Court, East Champaran at Motihari dated 21.04.2026, it appears that petitioners are named in the FIR and their name transpired in this case during the course of investigation only on the basis of suspicion. On perusal of the records, it appears that petitioners have got clean antecedent and they are in custody since 21.02.2026, so considering all these aspects of the case and submission of learned counsel for the petitioners and there is no independent witness of the seizure list, I am inclined to grant



regular bail to the above named two petitioners.

7. Accordingly, the prayer for regular bail of the above named two petitioners are allowed. Let the two petitioners above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1, East Champaran at Motihari / concerned Court in connection with Piprakothi P.S. Case No. 91 of 2026.

(Ramesh Chand Malviya, J)

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