

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34312 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- PIPRAKOTHI District- East Champaran

Sunil Sahani @ Sunil Chaudhari S/o Late Ramji Sahani @ Ramji Chaudhari
Resident of Village - Hathiyahi, P.S. -Piprakothi, District - East Champaran,
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Piprakothi P.S. Case No. 14 of 2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 35 liters of country made liquor was recovered from a bush in a concealed state, towards back side of the hut of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has been further submitted that the place of recovery is an open space accessible to all and petitioner is not the owner of the said area from which the alleged recovery has been made.



It has been further submitted that the procedures prescribed under Section 103 B.N.S. has not been followed. It has further been submitted that liability for the same cannot be fixed upon the petitioner merely because the petitioner's hut is situated near the place of the alleged seizure. It has lastly been submitted that petitioner has got no antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, in connection with Piprakothi P.S. Case No. 14 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

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(Praveen Kumar, J)

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