

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36224 of 2026

Arising Out of PS. Case No.-100 Year-2026 Thana- DUMARIAGHAT District- East
Champaran

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1. Vikash Sahani S/o Mohan Sahani R/o Village- Sarotar, P.S- Dumariya Ghat,
District -East Champaran
 2. Sujeet Sahani @ Sujeet Kumar S/o Shambhu Sahani R/o Village- Sarotar,
P.S- Dumariya Ghat, District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioners and
learned APP for the State.

3. The petitioners are apprehending arrest in
connection with Dumariyaghat P.S. Case No. 100 of 2026
lodged on 31.03.2026, for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

4. As per the prosecution, FIR has been lodged against
two named accused persons (the present petitioners). Total



recovery of 280 litres of country made liquor has been made from the *chawar* which was subject to be kept by the petitioners for sale and the petitioners were identified by the local public and local *chowkidar* and they managed to escape.

5. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence and nothing has been recovered from their conscious possession. Counsel submits that the petitioners' name has come in this case due to the reason that they have inimical terms with the local *chowkidar*. He further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

6. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that the alleged recovery has been made from a lonely place and not from the petitioners' possession.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of



Exclusive Special Excise Court no.3, East Champaran at
Motihari, in connection with Dumariyaghat P.S. Case No. 100
of 2026, subject to the conditions as laid down U/s 482(2) of the
B.N.S.S., 2023.

(Dr. Anshuman, J)

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