

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36748 of 2026

Arising Out of PS. Case No.-261 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Bhola Sahani Son of Bipat Sahani Resident of Village- Naryanpur
(Harinarayanpur, Narayanpu), Ward No. 04, P.S.- Ghorasahan, District- East
Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in
connection with Ghorasahan P.S. Case No. 261 of 2025
registered for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 124.50 litres of IMFL/Nepali liquor from the
motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submitted that admittedly the recovery of illicit liquor
was not made from physical possession of this petitioner. It is



pointed out that the seizure list appears doubtful being not supported by independent witnesses. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3 I/C, East Champaran at Motihari/concerned Court, where the case is pending in connection with Ghorasahan P.S. Case No. 261 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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