

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38981 of 2026

Arising Out of PS. Case No.-576 Year-2024 Thana- HARSIDHI District- East Champaran

Meghnath Sahani S/O Nagina Sahani Resident of Village- Singha, Ujjain
Lohiyar, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner and Mr. Shailendra Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.04.2026 in connection with Harsidhi P.S. Case No. 576 of
2024, F.I.R. dated 27.10.2024 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 50 liters of country made Chulai
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He next submits that earlier the petitioner was
granted the privilege of anticipatory bail by a co-ordinate Bench
of this Court vide order dated 23.09.2025 in Cr. Misc. No.



58961 of 2025 but the petitioner did not furnish the bail bonds in terms of order dated 23.09.2025 due to his previous criminal antecedents. He further submits that it appears from the F.I.R. as well as seizure list that the recovery has been made from the house of the petitioner but the petitioner is not the absolute owner of the house in question rather the house in question is joint property of the petitioner. He further submits that seizure list witnesses are police personnel so there is non-compliance of Section 103 and 105 of BNSS. The petitioner is in custody since 21.04.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries three criminal antecedents other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.01, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 576 of 2024, subject to



the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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