

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50699 of 2026

Arising Out of PS. Case No.-252 Year-2024 Thana- BANJARIA District- East Champaran

Ashok Sahani @ Ashok Kumar Sahani S/O Ramashish Sahani R/O Sapahi,
P.S.- Raghunathpur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Banjariya P.S. Case No.
252 of 2024 instituted for the offences under Sections 30(a) and
41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 140 liters
liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is
submitted that the name of the petitioner has transpired on the



basis of disclosure made by Co-accused. It is further submitted that the petitioner was not present at the place of occurrence and no incriminating article has been recovered from his conscious possession. The petitioner is in custody since 28.04.2026 and has got five criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted regular bail by this Bench vide order dated 14.11.2024 passed in Cr. Misc. No. 79747 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banjariya P.S. Case No. 252 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

sukriti/-

U		T	
---	--	---	--

