IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76155 of 2026
CNR No. BRHC011123792026
Arising Out of PS. Case No.-398 Year-2026 Thana- PANAPUR District- Saran

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Chuman Sahani @ Chunmun Sahni S/O Ratan Sahni R/o village - Rampur Rudra, P.S.- Panapur, District – Saran ... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 4 litres illicit liquor kept in plastic sack was recovered near the bank of Gandak river.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case merely on the disclosure made by local *Chowkidar*. Further submission is that the recovery has been made from an open place, easily accessible to one and all. Petitioner was neither present on the spot nor he has any concern with the seized liquor. Nothing has been recovered from the conscious possession of the petitioner. Except the disclosure statement of local *Chowkidar*, there is nothing

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material against the petitioner. Petitioner has got two criminal antecedents in which he is on bail. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, submissions of learned counsel for the parties, the recovery is made from an open place and no incriminating material has been recovered from the conscious possession of the petitioner, let the above named petitioner be released on bail, in the event of arrest or surrender before the Court concerned within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Saran at Chapra in connection with Panapur P.S. Case No. 398 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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