

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25906 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- BAHERI District- Darbhanga

Lal Babu Sah S/o Ramvilash Sah@Ramvilash Sahu R/o Vill.- Belamu Sahari,
Havidih, P.S.- Baheri, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Padmanabh Kashyap, Adv

For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) of the Bihar
Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that
285.585 liters of illicit liquor was recovered out of which 129
liters of courtyard of the house of the petitioner and 146 liters
from the back side of the house of the petitioner near a pond.

4. Learned counsel for the petitioner submits that no
recovery has been made from physical and conscious possession
of the petitioner and the house from where the recovery is made
is a joint family property and hence, no liability can be fixed
upon him. Further, it has also been submitted that the



mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list.

5. The learned APP opposes the prayer for bail on the ground that petitioner is an accused of three other cases of similar nature in response, it has been submitted that the petitioner is on bail in all the cases and it is because of his criminal antecedent, he has been implicated in the present case.

6. At this stage, petitioner offers to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in account of Patna High court Legal services committee, Patna, bearing Account No. 1413010060836, IFSC code:- PUNB141320, Punjab National Bank, Bar Counsel Branch, Patna.

7. the learned court below is directed to accept the bail bonds of the petitioner showing receipt of deposit of the aforesaid amount in the Patna High Court Legal services Committee, Patna.

8. Considering the aforesaid facts and circumstances of the case, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/ successor court in Baheri P.S. Case No. 72 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition :-

(i) One of the bailors shall be a close relative/ family member of the petitioner.

(ii) The learned court below shall verify the criminal antecedent of the petitioner before releasing him on bail which would be done expeditiously without causing any delay.

(iii) The petitioner shall co-operate in the trial and shall appear on every 15 days before the investigation officer till the investigation is concluded against him.

(Soni Shrivastava, J)

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