

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29240 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- LAKHAURA District- East Champaran

1. Dhurendra Kumar S/o Late Jiyalal Rai R/o vill - Badka Pakhi, Ps- Lakhaura, District- East Champaran
2. Sheo Ji Pandit @ Shiv Pandit S/o Late Nathuni Pandit R/o vill - Badka Pakhi, Ps- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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

ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in connection with
Lakhaura P.S. Case No. 234 of 2024, registered under Sections
30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 28 liters
liquor was recovered from plastic bora near the Chhath Ghat.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and has falsely been implicated in the
present case. The petitioners have got no concern with the
alleged recovery of liquor. Learned counsel for the petitioners
also submits that the petitioners were not present at the place of
occurrence. Name of the petitioners have transpired in this case
on the basis of confessional statement made by co-accused,



Kamaljeet Rai and the same has got no evidentiary value. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 24.03.2025 passed in Cr. Misc. No. 17444 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhaura P.S. Case No. 234 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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