

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44813 of 2025

Arising Out of PS. Case No.-223 Year-2024 Thana- LAKHAURA District- East Champaran

Sunil Sahani Son of Ramshray Sahani Resident of village - Jhitkahiya, P.S.-
Lakhaura, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti, Advocate

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

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

ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with
Lakhaura P.S. Case No. 223 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, 30 liters
liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submits that the petitioner was not present at the place of
occurrence and he was working in his paddy field along with his
entire family. Learned counsel for the petitioner, therefore,



contends that *prima-facie*, no case is made out against the petitioner. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 25.06.2025 passed in Cr. Misc. No. 35327 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 petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhaura P.S. Case No. 223 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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