

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31624 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- LAKHAURA District- East Champaran

Ritesh Sahani S/O Sonelal Sahani R/O Village- Ajarwa, P.S- Lakhaura,
Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Lakhaura P.S. Case No. 237 of 2024, instituted for the
offences punishable under Sections 30(a), 32 and 41(i) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 210 liters
liquor was recovered from orchard.

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. Learned counsel



for the petitioner also submits that the alleged recovery has been made from an open place and the same is easily accessible to public at large. The petitioner has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Other co-accused has been enlarged on regular bail by this Court vide order dated 01-05-2025, passed in Cr. Misc. No. 28004 of 2025.

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

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or 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 the learned court below where the case is pending/successor court in connection with Lakhaura P.S. Case No. 237 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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