

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33414 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- LAKHAURA District- East Champaran

CHANDAN GUPTA @ RAJ CHANDAN S/O Late Laxmi Prasad R/O Vill.-
Koluharwa, P.s.- Muffasil, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35107 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- LAKHAURA District- East Champaran

Sujay Sahani S/o Gandhi Sahani R/o Village- Chichurahiya, P.S.- Banjariya,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33414 of 2025)

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

(In CRIMINAL MISCELLANEOUS No. 35107 of 2025)

For the Petitioner/s : Mr.Perna Rishi

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 26-05-2025 Both the criminal miscellaneous applications are

of the same occurrence and as such heard together and

disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. The petitioners have prayed for bail in



connection with Lakhaura P.S. Case No. 52 of 2025 registered for the offence punishable under sections 30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, on the alleged date of occurrence, during night patrolling, police got secret information about trade of illicit liquor in orchard of Jhagaru Sahni thereafter, Police party reached there and apprehended four accused persons including the petitioners and two persons managed to escape. On search, total 185 liters country made liquor kept in six sacks have been recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have no concern with the alleged recovery or with the orchard. They have been falsely implicated in this case due to high handedness of police only because they refused to sign on the seizure list as witnesses. Petitioner Sujay Sahani has got no criminal antecedent. Moreover, both the petitioners are languishing in judicial custody since 22.02.2025.

5. Learned APP appearing for the State has



opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail **after framing of charge**. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 01, East Champaran at Motihari in connection with Lakhaura P.S. Case No. 52 of 2025 with following conditions:

(i) One of the bailors should be close relative of the petitioners.

(ii) Petitioners shall co-operate in the trial and shall be present on each and every fixed date and on their absence on two consecutive dates without sufficient reason, their bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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