

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45278 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- LAKHAURA District- East Champaran

Mithu Sahani @ Mithu Kumar S/o- Ramji Sahani @ Ramjee Sahani Village-
Kataha Loknathpur PS- Muffasil District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lakhaura P.S. Case No. 176 of 2024 dated 10.11.2024 registered for the offences punishable u/s 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 150 litres of illicit country-made liquor was recovered from the bank of *Sikrahana river*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the alleged recovery rather the recovery has been made from an open place near the bank of Sikrahana river which is accessible to any one. The petitioner has eight criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Lakhaura P.S. Case No. 176 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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