

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43438 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- LAKHAURA District- East Champaran

1. Milan Sahani @ Milan Kumar S/o Sonelal Sahani R/o Village- Ajagarva, PS- Lakhaura, District- East Champaran
2. Ragho Kumar @ Ragho Sahani S/o Shiv Sahani @ Sonelal Sahani R/o Village- Ajagarva, PS- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Prasad, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Lakhaura P.S. case
No. 148 of 2024 instituted for the offences under Sections
30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 50 liters
liquor was recovered from plastic bags hidden in the
bushes.

4. Learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been
implicated in the present case. No incriminating material



has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that recovery is made from an open place accessible to one and all. The petitioners are in custody since 07.05.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (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. 148 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.



(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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