

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53411 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- JAYNAGAR District- Madhubani

Lakshmeshwar Sah S/O Late Biltu Sah R/o Village- Union Tol, P.S.-
Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashad, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jaynagar P.S. Case No. 6 of 2025 instituted for the offences under Sections 274, 275, 317(5), 3(5) of the Bhartiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 540 liters of illicit Nepali liquor from the car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner was not arrested from the place of occurrence and his name has surfaced in this case on the basis of the disclosures made by the local Chowkidar. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is not the owner of the seized Scorpio. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 09.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner has three criminal antecedents of similar nature of offence.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Jaynagar P.S. Case
No. 6 of 2025.

(Rudra Prakash Mishra, J)

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