

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53725 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- LAKHAURA District- East Champaran

1. Jokhan Sahani S/o Gagan Sahani @ Gagan Sahni Resident of Village-Katahan Malahi, PS- Muffasil, District- East Champaran
2. Shivilal Sahani @ Shiv Lal Sahani S/o Bachchu Sahani Resident of Village-Katahan Malahi, PS- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Shakir Ahmad, APP

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

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Lakhaura P.S. Case No. 131 of 2025 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 total 140 litres of liquor was recovered from the bank of river.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. It is submitted that recovery is made from an open place, which is accessible to one and all. The name of the petitioners have transpired in this case on the basis of disclosure of local chowkidar. The petitioners have got no concern with the alleged



recovery of liquor. Learned counsel for the petitioners, therefore, contends that prima-facie no case is made out against the petitioners. The petitioners have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Similarly situated other co-accused person has been granted regular bail by this Court vide order dated 02.07.2025 passed in Cr. Misc. No. 40997 of 2025.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhaura P.S. Case No. 131 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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