

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57655 of 2025

Arising Out of PS. Case No.-162 Year-2023 Thana- EXCISE MADHUBAN District- East
Champaran

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Lakhindra Sah S/O Late Satyadeo Sah, Resident of Village- Chorma, P.S.-
Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Manoj Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 503.28
litre illicit foreign liquor from the hutment situated beside the
Road.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits that
petitioner was not present on the spot and no incriminating
article has been recovered from his conscious possession.
Learned counsel submits that petitioner has no concern either



with the alleged seized liquor or the place from where the recovery has been made. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law as there is no independent witness to the seizure list. Learned counsel submits that petitioner is in custody since 23.06.2025, having three criminal antecedents of similar nature, in which he is on bail in all the cases. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the investigation and trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Excise Madhuban P.S. Case No.162 of 2023 with following conditions:-

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his bail bonds by the learned Trial Court;

(ii) The petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iii) The petitioner shall desist from committing any
such criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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