

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58940 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- CHIRAIYA District- East Champaran

Lalan Baitha, S/o Late Rajvanshi Baitha, R/o Village- Madhubani, P.S.-
Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Chiraiya P.S. Case No. 311 of 2024 for the offence registered
under Sections 30 (a) of the Bihar Prohibition & Excise
Amendment Act.

3. As per the prosecution case, total 11.4 litres of
Nepali liquor recovered behind the house of the petitioner. It is
alleged that the petitioner was involved in selling the illicit
liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He has no concern with the seized liquor. Nothing has
been recovered from the conscious possession of the petitioner.



He further submits that the place of recovery is an open place which is accessible to public at large. There is no independent witness to seizure list which is violation of the provision under Section 103 BNSS. Charge-sheet has already been submitted and there is no chance of absconding or tampering with the evidence. Petitioner is in jail custody since 15.06.2025, having no criminal antecedent.

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 and the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge- 1, East Champaran, Motihari in connection with Chiraiya P.S. Case No. 311 of 2024.

(Sunil Dutta Mishra, J)

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