

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61294 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- LAKHAURA District- East Champaran

Mithlesh Sahani @ Mithlesh Kumar S/o- Mahendra Sahani @ Mahendra
Sahni R/o- Chichrohiya Ps- Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Adv.

For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Lakhaura P.S. Case No. 67 of 2025 for the offence registered under sections 30(a), 32, 41 of Bihar Prohibition and Excise Act.

3. As per the prosecution story, Police on secret information, intercepted three persons carrying bag, two apprehended while one person managed to escape, those apprehended gave the name of this petitioner. From each bag, 18 liter country made liquor (total 54 liter) recovered. This led to the FIR.

4. Learned Counsel for the petitioner submits that only because of criminal antecedent, got implicated, nothing has



been recovered from his conscious possession.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also the fact that nothing has been recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No. 1, East Champaran, Motihari in connection with Lakhaura P.S. Case No. 67 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

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

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

(Rajiv Roy, J)

Vijay Singh/-

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