

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62908 of 2025**

Arising Out of PS. Case No.-148 Year-2024 Thana- LAKHAURA District- East Champaran

Mithlesh Sahani Son of Sajawal Sahani Resident of Village - Ajarwa, P.S. -  
Lakhaura, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Aditya Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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

ORAL ORDER

2      01-09-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has earlier moved before a Co-  
ordinate Bench of this Court with a prayer for anticipatory bail  
which was rejected vide order dated 06.05.2025 passed in Cr.  
Misc. No. 23947 of 2025.

3. The petitioner seeks bail in connection with  
Lakhaura P.S. Case No. 148 of 2024 instituted for the  
offences under Sections 30(a), 32, 41(1) of the Bihar  
Prohibition and Excise Act.

4. As per prosecution case, the police has recovered  
50 liters of illicit liquor from plastic bags hidden in the bushes.



5. 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 due to village politics. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The seized liquor does not belong to the petitioner. 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 two criminal antecedents and is languishing in judicial custody since 07.07.2025 without any rhymes or reason.

6. Learned counsel for the petitioners again submits that the co-accused have been granted bail by this Court vide order dated 10.07.2025 passed in Cr. Misc. No. 43438 of 2025.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. 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/- (Rupees Fifteen 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. 148 of 2024.

**(Rudra Prakash Mishra, J)**

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