

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62072 of 2025**

Arising Out of PS. Case No.-215 Year-2025 Thana- MADHUBAN District-
East Champaran

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Lalu Sahani @ Lalu Kumar @ Randhir Kumar Son of Rajesh Sahani R/o-
Delaho, P.S.- Madhuban, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Angad Kunwar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Madhuban P.S. Case No. 215 of 2025 dated 19.06.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').

3. According to the prosecution case, 25 liters of country made liquor has been recovered from the back side of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that according to the seizure list,



it is apparent that the alleged recovery of liquor is made from the back side of house of the petitioner. The petitioner has no concern with the alleged recovery of liquor. No illicit liquor has been recovered from the conscious possession of the petitioner and/or from inside his house.

5. Learned A.P.P. for the State has opposed the prayer for bail and submits that the petitioner has got two criminal antecedents of similar nature other than the present one.

6. Regard being had to the submission made by the parties and taking into consideration the fact that the alleged recovery of illicit liquor has been made from the back side of the house of the petitioner which is an open space, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.3, East Champaran, Motihari in connection with Madhuban P.S. Case No. 215 of 2025,



subject to the condition laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

brajesh/-

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