

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65058 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- LAKHAURA District- East Champaran

1. Mithlesh Sahani S/O Sajawal Sahani Resident of Village- Ajgarwa, P.S.-
Lakhaura, District- East Champaran
2. Devendra Sahani S/O Sajawal Sahani Resident of Village- Ajgarwa, P.S.-
Lakhaura, District- East Champaran
3. Nirmal Sahani S/O Mishrilal Sahani Resident of Village- Ajgarwa, P.S.-
Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioners have preferred this application for grant of regular bail in connection with Lakhaura P.S. Case No. 222 of 2024 dated 20.12.2024 registered for the offences punishable u/ss 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 133 litres of illicit country-made liquor was recovered from the four motorcycles.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The name of the petitioners was disclosed by local chowkidar. The petitioners are not the owner of the seized motorcycles. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 05.05.2025 passed in Cr. Misc. No. 27452/2025. The petitioner nos. 1 and 3 have two criminal antecedents and the petitioner no. 2 has four criminal antecedents and the petitioners are on bail in all the aforesaid cases as stated in para 3 of the supplementary affidavit filed on behalf of the petitioners. The petitioners are in custody since 27.06.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Lakhaura P.S. Case No. 222 of 2024 with the condition :-

(i) The petitioners are directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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