

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72717 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- LAKHAURA District- East Champaran

Raj Lal Sahani @ Rajlal Sahani R/o Dhanai Sahani Resident of Village -
Jhitkahiya, P.S. - Lakhaura, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lakhaura P.S. Case No. 161 of 2025 registered for the offences punishable under Sections 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., recovery of total 172 liters of country made liquor has been made from the bank of Tiwar river which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He has no concern with the alleged recovery or with the place of occurrence. Petitioner is not owner of the said place from where the recovery has been made, rather the same is open place and easily accessible to all and also he has no knowledge about the said recovery. Neither the petitioner is arrested on spot nor anything has been recovered from his conscious possession. Learned counsel further submits that proper procedure of search and seizure has not been followed by the police in this case and the same is violation of Section 103 of BNSS. Petitioner is in custody since 23.07.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 01, East Champaran at Motihari in connection with Lakhaura P.S. Case No. 161 of 2025 subject to the following conditions :-



(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit/Prabhakar

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