

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80765 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- CHIRAIYA District- East Champaran

Lalan Rai Son of Dinanath Rai @ Dinanath Ray R/o Village- Sapgarha
(Sapagadha), P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chiraiya
P.S. Case No. 59 of 2025 instituted for the offences punishable
under Sections 30(a), 41(1) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 180 litres
of liquor has been recovered from three plastic jar.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from an open place which is accessible to public at large. The



petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 05.07.2025 and has thirteen criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Chiraiya P.S. Case No. 59 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(IV) Petitioner shall not leave the territorial jurisdiction of the learned court below without taking prior permission of the court concerned.

(Rudra Prakash Mishra, J)

Alok Verma/-

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