

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10319 of 2026

Arising Out of PS. Case No.-84 Year-2024 Thana- BASANHI District- Saharsa

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Lalan Kumar Hembram @ Lalo Murmur @ Lalo Murmu @ Lalo Murmurmu,
male, aged aout 41 years, S/o Late Sidhu Hembram @ Late Sidhu Murmur
R/o - Chharrapatti, Santhali Tola, Ward No.12, P.S - Basnahi, District -
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with
Basanhi P.S. Case No. 84 of 2024 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the allegation in the FIR, total 245 litres of
country-made liquor and approximately 2000 litres of semi
finished *Jawa* liquor has been recovered from bank of Santhali
River.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He next submits that no incriminating article has been



recovered from the conscious possession of the present petitioner and the petitioner has no concern with the alleged recovered illicit liquor. He next submits that name of the petitioner has been surfaced in this case only on the basis of suspicion and there is no other evidence against the petitioner in the instant case. He further submits that petitioner was not arrested on the spot and the place of occurrence does not belongs to the petitioner rather it was an open place, i.e., bank of Chharrapatti Santhali River. He next submits that petitioner has got criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made by learned counsel for the petitioner and also the fact that neither incriminating article has been recovered from the conscious possession of the petitioner and nor he was arrested on the spot rather the recovery of the said 245 litres and approximately, 2000 litres of illicit *jawa* liquor has been made from an open space and not from the house of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the Trial Court within a period of six weeks



from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction learned Exclusive Special Judge, (Excise-II), Saharsa in connection with Basanhi P.S. Case No.84 of 2024 subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Ramesh Chand Malviya, J)

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