

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15867 of 2026

Arising Out of PS. Case No.-718 Year-2023 Thana- LAKHISARAI District- Lakhisarai

1. Tuntun Tanti Son of Shankar Tanti Resident of Village- Gobind Bigha, Shyam Tola, P.S.- Lakhisarai, District- Lakhisarai
2. Lakhan Mandal Son of Dukhi Mandal Resident of Village- Gobind Bigha, Shyam Tola, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Lakhisarai P.S. Case No.718 of 2023 dated 17.09.2023, under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, there recovery of 31 liters of desi liquor have alleged to be made from a white plastic jhola, which is subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners' name have been inserted in this case



by virtue of confessional statement of local persons. He further submits that petitioners have been falsely implicated in this case. Nothing has been recovered from conscious possession of the petitioners and they were not arrested on the spot.

5. Counsel submits that the criminal antecedent of the petitioner No.2 is clean and petitioner No.1 has one criminal antecedent in which he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that petitioner No.2 has clean antecedent and petitioner No.1 has one criminal antecedent relating to excise matter.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner No.2, namely, Lakhan Mandal, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Addl. Sessions Judge IV -cum- Special Excise Court No.1, Lakhisarai, in connection with Lakhisarai P.S. Case No.718 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. So far as the petitioner No.1, namely, Tuntun Tanti,



is concerned, this Court is not inclined to grant anticipatory bail to the petitioner No.1, therefore the bail application of the petitioner No.1 is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner No.1, namely, Tuntun Tanti, if he surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J)

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