

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29828 of 2026**

Arising Out of PS. Case No.-172 Year-2025 Thana- LAKHAURA District- East Champaran

Arjun Baitha S/o Bhagat Baitha Resident of village - Jitpur, P.s.- Jitna, Distt.-  
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Harsha Shashwat, Advocate  
For the State : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      05-05-2026                      Heard Ms. Harsha Shashwat, learned counsel for the  
petitioner and Mr. Abhay Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since  
19.02.2026, in connection with Lakhaura P.S. Case No. 172 of  
2025, F.I.R. dated 10.06.2025 registered for the offences  
punishable under Sections 30(a), 32, 41(1) of the Bihar  
Prohibition & Excise Act.

3. Recovery is of 185.100 litres of *Nepali* liquor.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in the  
present case. She further submits that it appears from the F.I.R.  
as well as seizure list that recovery has been made near the  
bridge of Jamuni river and petitioner has no role at all in the  
present occurrence and the name of the petitioner has been



transpired on the basis of identified by the spy and local choukidar. It appears from the F.I.R. itself that nothing has been recovered from the conscious possession of the petitioner and petitioner has been made accused on the basis of identification by the spy and local choukidar. The petitioner is in custody since 19.02.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in one case and one case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 01, Civil Court, East Champaran at Motihari in connection with Lakhaura P.S. Case No. 172 of 2025, subject to the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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