

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34078 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- LAKHAURA District- East Champaran

Sambodh Kumar @ Samodh Kumar @ Samogh Kumar Son of Rameshwar
Sah @ Remeshwar Prasad @ Rameshwar Prasad Resident of Vill- Barwa
Pachiyari, P.S.-Lakhaura, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Lakhaura P.S. Case No. 34 of 2026, for allegedly having committed offence under Sections 30(a), 32 and 41(1) of the BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 29.01.2026 at 02.10 P.M., the informant along with the police party proceeded for evening patrolling. During course of patrolling, he received a secret information to the effect that accused Sambodh Kumar has kept illegal liquor in a bamboo clump of one Ripu Singh and he



intends to shift it to some other place. At about 05:30 P.M., the informant along with the police party reached near the bamboo clump of Ripu Singh. Upon seeing the police party, one person started fleeing away. Despite chase, the person succeeded in fleeing away. During search, about 56.625 litres of country made liquor was recovered from the bamboo clump. The informant came to know about the name of the petitioner as the person, who succeeded in fleeing away.

4. The learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner and entire recovery has been from bamboo clump of one Ripu Singh, however the petitioner has got no concern with the said place. The seizure list has been prepared, in which the police personnel have been named as an witness. The petitioner has got a clean antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the rival submissions and after going through the record, it appears that the petitioner was not present at the place of occurrence. The seizure has been made from the bamboo clump of one Ripu Singh, from where 56.625 liters of country made liquor was recovered. The petitioner has



got a clean antecedent. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.1, Motihari, East Champaran in connection with Lakhaura P.S. Case No. 34 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned 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 concerned shall take steps 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.

(Ritesh Kumar, J)

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