

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42909 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- LAKHAURA District- East Champaran

1. Rakesh Kumar S/o Bishwanath Chaudhari Resident of Village - Chainpur, P.S - Chhaudadano, District - East Champaran
2. Ashok Kumar S/o Ram Nageshwar Chaudhari Resident of Village - Chainpur, P.S - Chhaudadano, 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. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Lakhaura P.S. Case No. 87 of 2026, registered on 07.04.2026 for the offences under Section 30(a)/32/41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, police received information about three persons selling country made liquor near a bamboo clump. A raid was conducted and the two petitioners were apprehended from the spot. One person fled away from the spot. From search of the bamboo clump, recovery of 95 litres of country made *chulai* liquor was made.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioners. Recovery has been made from a bamboo clump and the petitioners have no concern with the said place. The petitioners are having clean antecedent and they are in custody since 08.04.2026.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of recovery and period of custody of the petitioners along with their clean antecedent, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, East Champaran, Motihari/concerned court, in connection with Lakhaura P.S. Case No. 87 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close



relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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