

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45751 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- LAKHAURA District- East Champaran

Fulena Sahani S/o Punit Sahani Resident of Village - Bahuari, P.S.- Lakhaura,
District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Lakhaura P.S. Case No. 76 of 2026 registered for the offences punishable under Section 30(a), 32, 41 of Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 100 litres of country made liquor

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor is made from the open field like Bamboo grass at the bank of Tilawe river, which is accessible by general public, where nothing



recovered from the conscious physical possession of the petitioner. Petitioner claimed clean antecedent.

5 Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Judge court no. 1, East Champaran, Motihari /concerned Court, where the case is pending in connection with Lakhaura P.S. Case No. 76 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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