

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49952 of 2026

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

Mahadev Sahani S/O Late Huseni Sahani Resident of Village- Bahuari, P.S-
Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lakhaura P.S. Case No. 76 of 2026 in a case registered for the offence punishable under Sections 30(a), 32, 41(i) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Prosecution case, in brief, is that during patrolling informant received secret information that Mahadev Sahani and co-accused, concealed illicit liquor in the bamboo clump of Mankeshwar Sahani at the bank of Tilawe River. It has further been alleged that the informant alongwith police team arrived at the place of occurrence, on seeing the police team, two persons jumped into the river and managed to run away from there. On search of bamboo clump of the Mankeshwar Sahani, total 100



litres of country made chulai liquor contained in the two sack was recovered.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case on mere suspicion. Counsel further submitted that petitioner has no criminal antecedent of same nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard the parties and considering the fact that the petitioner's name was added on suspicion of local chowkidar, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of learned Exclusive Special Excise Court No.-1, East Champaran at Mohirai in connection with Lakhaura P.S. Case No. 76 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 and also subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.



(II) The petitioner shall appear on each and every date fixed during the trial and also co-operate in the process of trial.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

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