

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71109 of 2025

Arising Out of PS. Case No.-416 Year-2025 Thana- LAKHISARAI District- Lakhisarai

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1. Fulo Devi, W/o- Pintu Sahni, R/o Village- BanSHIPur Bindtoli, PS- Medni Chowki, Dist- Lakhisarai.
 2. Gudiya Devi, W/o- Harinandan Mahto, R/o Village- Khaba Rajpur Cheri Tola, PS- Medni Chowki, Dist- Lakhisarai.
 3. Jugeshwar Mahto, S/o- Bishundev Mahto, R/o Village- Khaba Rajpur Cheri Tola, PS- Medni Chowki, Dist- Lakhisarai.
 4. Uma Devi, W/o- Jugeshwar Mahto, R/o Village- Khaba Rajpur Cheri Tola, PS- Medni Chowki, Dist- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, Addl. P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 06-01-2026 Heard the learned counsel for the petitioners and the learned Addl. Public Prosecutor for the State.

2. The petitioners, who are in custody, seek bail in connection with Lakhisarai P.S. Case No. 416 of 2025 registered for the offence(s) punishable under Section(s) 30(a) of the Bihar Prohibition and Excise Act.



3. As per the prosecution case, the named accused persons including the petitioners were intercepted and when they try to flee, they were apprehended and on search, 50 liters of codeine cough syrup was recovered.

4. The learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case and nothing has been recovered from their conscious possession. It has been submitted that the recovery is said to have been made from the road which is an open space. It has lastly been submitted that the petitioners carry no criminal antecedent and they are in custody since 25.08.2025.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioners have remained in custody since 25.08.2025, let the petitioners, above-named, be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Lakhisarai P.S. Case No. 416 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their



close relative and the other shall be a local resident.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the concerned Court.

(iv) If the petitioners, in future, are found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for cancellation of their bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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