

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86452 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- PANDAUL District- Madhubani

Lalit Kumar Sah Son of Shivjee Sah @ Shivji Sahu Resident of Village-
Lohat (Velhi), P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-01-2026 Heard Mr. Ravi Prakash, learned counsel for the
petitioner and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
06.11.2025, in connection with Pandaul P.S. Case No. 218 of
2025, G.R. No. 1279 of 2025 F.I.R. dated 17.09.2025 registered
for the offences punishable under Sections 30(a), 41(1), 31(1),
31(2) of the Bihar Prohibition and Excise Act, 2016.

3. Recovery is of 5385.12 litres of foreign wine.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not
committed any offence as alleged in the F.I.R. and petitioner ha
been made accused merely on the basis of disclosure made by



local choukidar as well as his previous criminal antecedent of similar nature. It appears from the F.I.R. as well as seizure list that nothing has been recovered from the possession of the petitioner rather recovery has been made from the Truck and Car in question and the petitioner is in custody since 06.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases of similar nature but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and petitioner has been made accused on the basis of disclosure made by local choukidar, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Madhubani in connection with Pandaul P.S. Case No. 218 of 2025, G.R. No. 1279 of 2025, subject to the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below 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 below shall take step 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.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

