IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90057 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- LAKHNAUR District- Madhubani

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Santosh Sahani S/o- Late Bablu Sahani @ Vallu Sahani R/o village - Kaithiniya Gumati , P.s- Lakhnaur , Rsop , District - Madhubani

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-12-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Lakhnaur P.S. Case No. 16 of 2024 dated 17.01.2024 registered under Section 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the first information report a total quantity of 10.800 liters of Nepali country made liquor has been recovered from a bush situated nearby the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case inasmuch as he has not committed any offence in the manner alleged. The name of the petitioner has transpired in this case on the basis of disclosure made by the local chowkidar. Illicit Nepali country made liquor has not been recovered from the conscious posses-

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sion and / or premises belonging to the petitioner rather the same has been recovered from a bush which is an open space easily accessible to everyone. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that the name of the petitioner has transpired on the basis of disclosure made by the local chowkidar, recovery of illicit liquor has been made from an open space accessible to all and sundry and the petitioner has no criminal antecedent, accordingly , I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise) Act, Jhanjharpur in connection with Lakhnaur P.S. Case No. 16 of 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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