

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65567 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- RAHIKA District- Madhubani

ANIL SAH @ ANIL KUMAR SAH S/O LATE SAKKAL SAH Resident of
village- Basauli Ward No-12, P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection
with Rahika P.S. Case No. 152 of 2022 instituted under Sections
272, 273, 467, 468, 471, 420/34 of the Indian Penal Code.

As per the prosecution story, upon secret information,
the police tried to intercept a white coloured Ambulance which
although tried to escape but when the raiding party chased it, the
accused were apprehended and altogether 733.95 litres of
foreign liquor were recovered/seized.

The name of the petitioner came in the confessional
statement of accused Pankaj Kumar.

Learned counsel for the petitioner submits that he
neither owns the vehicle nor anything to do with the Pankaj
Kumar and nothing has been recovered from his conscious



possession and his name has come in the confessional statement.

Learned APP on the other hand opposes the prayer of bail.

Taking into account all the aforesaid facts as also the fact that his name has come in the confessional statement, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Rahika P.S. Case No. 152 of 2022 to the satisfaction of learned Additional Sessions Judge II cum Special Judge Excise Act, Madhubani, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with further conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ajay Singh/-

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