

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69168 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. RAJIV SAO @ RAJIV KUMAR SAO S/O PRADIP SAO R/O VILL-JAMUA, PS-JAMUA, DIST-GIRIDIH
 2. ANANT SAHNI @ ANURAG SHANI S/O PAPPU NISHAD R/O VILL-JAMUA, PS-JAMUA, DIST-GIRIDIH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-10-2023 Heard the parties.

The petitioners are accuseds in connection with Sheikhopur Sarai P.S. Case No. 155 of 2023 registered for the offences under sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act lodged on 16.08.2023 by the informant, Pramod Kumar.

As per the prosecution story, the allegation is that the police during the vehicle check, intercepted a 'Verna' car and recovered/seized 216 litres foreign liquor, the petitioner was amongst the apprehended persons. Accordingly, the FIR.

It is the case of the petitioner that the car does not belong to him, was a mere passenger alongwith his friends little



realizing that the liquor is present in it. Further, he do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the submissions put forward by the parties, he do not have criminal antecedent and is in custody since 16.08.2023 (as stated in paragraph 13 of the bail application), this Court is inclined to extend him privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 155 of 2023, subject to the following conditions:-

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

(ii) the petitioners 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 their bail bond by the Trial court itself;



(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners 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 their bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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