

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51406 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- RIGA District- Sitamarhi

Sunil Sahni SON OF RAJENDRA SAHNI VILLAGE- PAKRI, PS- RIGA,
DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Riga P.S. Case No. 80 of 2024 for the offence registered under section 30(a) of Bihar Prohibition and Excise Act, lodged on 24.03.2024 by the informant Nand Singh.

3. As per the prosecution story, informant upon secret information intercepted a motorcycle. Though the accused managed to escape, there was a recovery of total 17 liter countrymade liquor. As the accused managed to escape, the Registration No. of the motorcycle was incorporated in the category of accused. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that though he purchased the said vehicle, it was transferred to one



Ajay Mahto in the year 2022, though Ajay Mahto failed to get it registered to his name, so his implication.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the motorcycle belongs to him.

6. Taking into account the submissions as also the observation made by the petitioner that he transferred the motorcycle to one Ajay Mahto, he do not have criminal antecedent, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Special Excise Court-I, Sitamarhi in connection with Riga P.S. Case No. 80 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives 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 appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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;

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

(Rajiv Roy, J)

Vijay Singh/-

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