

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51521 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- SHEOHAR District- Sheohar

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Pramod Kumar @ Pramod Sah Son of Vijay Sah Resident of Village -
Mirjapur Dhobahi, P.S.- Sheohar (Fatehpur), District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Sheohar (Fatehpur) P.S. Case No. 80 of 2024 instituted under section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018 lodged on 24.03.2024 by the informant, SI, Jaseem Ansari.

3. As per the prosecution story, the police upon secret information raided the house of Pramod Kumar @ Pramod Sah (petitioner herein), one person managed to escape and the local gave name of this petitioner. Upon search, 10 litres of country made liquor has been seized/recovered from plastic gallon. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that it is a thatched house, accessible to all, admittedly, he was not



present there, due to enmity he has been named. Last submission is that the petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer stating that he managed to escape and the locals identified him

6. Considering the fact that the recovery of liquor has been made from a thatched house, the petitioner has got no criminal antecedent, this Court is inclined to extend the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act, Sheohar in connection with Sheohar (Fatehpur) P.S. Case No. 80 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other following conditions.

(i) one of the bailors should be the family member of the petitioners who shall provide official document to show his/her 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 co-operate in the investigation and make themselves available to the police as and when required;

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

(v) 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 the bail bonds;

(vi) 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.

(Rajiv Roy, J)

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