

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51689 of 2024

Arising Out of PS. Case No.-268 Year-2024 Thana- BUXAR District- Buxar

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SANOJ SAHNI @ SANOJ CHAUDHARY S/O SHYAM BIHARI
CHAUDHARY R/O VILLAGE- RAMJIYAWANGANJ, P.S- BUXAR
MUFFASIL, DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard Mr. Amit Kumar Pandey, learned counsel for

the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Buxar Nagar P.S. Case No. 268 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 17.05.2024 by the informant, Siyaram Rajak.

3. As per the prosecution story, the police upon information, reached a triangular and apprehended two persons while one managed to escape. From them, there is/was recovery of 72 liters of illicit liquor, those apprehended named this petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that



admittedly, recovery/seizure is from the two accused persons who were apprehended, nothing recovered from his conscious possession and only because the apprehended persons named him, he has been implicated.

5. Learned APP opposes the prayer submitting that the two apprehend persons named him.

6. Considering the allegation which has mainly come against the two apprehended persons, the name of the petitioner has come in their confession before the police and nothing has been recovered from his conscious possession, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Special Judge Excise Act-1, Buxar in connection with Buxar Nagar P.S. Case No. 268 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her 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 his 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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