

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60807 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- HARSIDHI District- East Champaran

Anil Sahani Son of Heera Sahani Resident of Village - Kubara, P.S. -
Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Harsidhi P.S. Case No. 158 of 2024 for the offence under Section 30(a) of the Bihar Prohibition & Excise Act lodged on 25.03.2024 by the informant, Subodh Kumar Singh

3. As per the prosecution story, informant alleged that upon informant the house was raided and ten litre country made liquor was recovered/seized followed the F.I.R.

4. Learned counsel for the petitioner submits that it is a joint house but the couple has been implicated, the wife was arrested and the petitioner has been forced to prefer this petition.

5. Learned APP opposes the prayer submitting that the recovery is from the house.



6. Taking into account the aforesaid fact as also that it is a joint house from where the recovery has been made, the petitioner do not have criminal antecedent, 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 Court No. I, East Champaran, Motihari, in connection with Harsidhi P.S. Case No. 158 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)

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