

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78150 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- Excise P.S. District- Samastipur

Dasrath Kumar Sahni @ Dasrath Sahni Son of Rajesh Sahni village- Patpara
Uttar Ward no. 4, ps- Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
Mr. Shishir Kumar Shishir, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Samastipur Excise P.S. Case No. 237 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 06.09.2024 by the informant, Kumar Gaurav.

3. As per the prosecution story, the informant alleged that upon patrolling, a motorcycle was intercepted and 20 liters of country-made liquor recovered/seized which led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, the motorcycle does not belong to him and he being the pillion rider, arrested.



5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forwarded by the parties as also the fact that he is in custody since 07.09.2024 (paragraph-10 of the petition), FIR lodged and he will be facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge (Excise) 02, Samastipur, in connection with Samastipur Excise P.S. Case No. 237 of 2024 subject to the following conditions:

(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 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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