

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79549 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- LALGANJ District- Vaishali

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Dina Sahni S/o- Ram Dayal Sahni Village- Sirsa Ram Ray Sarai PS- Lalganj
District-Vaishali Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Lalganj P.S. Case No. 02 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 01.01.2024.

3. As per the prosecution story, on secret information when the police reached near Etwarpur Pakri Chowk, two persons riding a motorcycle and after seeing the police team, left the motorcycle and tried to flee away, some miscreants were apprehended and some fled away.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no illicit liquor has been recovered from his conscious possession. He



further submits in para 10 of the petition that the petitioner was buying some articles after parking his motorcycle at Etwarpur Pakari Chowk and when he returned to his motorcycle, his motorcycle was missing and he came to the police station and know that his motorcyle has been seized by the police. The antecedent of the petitioner is clean.

5. Learned APP opposes the prayer for bail.

6. Taking into account the fact that the antecedent of the petitioner is clean and nothing has been recovered from his conscious possession, this Court is inclined to extend him the privilege of anticipatory bail.

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 Exclusive Special Prohibition and Excise Court No. 1- Cum Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 02 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with 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 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;

(iv) 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.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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