

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22042 of 2025

Arising Out of PS. Case No.-464 Year-2023 Thana- NAANPUR District- Sitamarhi

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Rajkumar Sahni @ Raj Kumar Sahani Son of Kapleshwar Sahni @
Kamleshwar Sahni Resident of Village - Kharha Laxminiyatol, P.S. - Nanpur,
District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate
For the State : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Nanpur P.S. Case No. 464 of 2023 for the offence under Sections 272 and 273 of the Indian Penal Code and section 30(i), 36 and 41(i) of the Bihar Prohibition and Excise Act, lodged on 08.09.2023 by the informant, Manjar Ahmad Khan.

3. As per the prosecution story, the informant alleged that an allegation that the accused persons are preparing liquor and selling it, the place was raided. In the under constructed house of Deepak Kumar, 52 liters country made liquor as also materials relating to manufacturing of the liquor were



recovered/seized. The name of the petitioner also cropped up. This led to the F.I.R.

4. Learned counsel for the petitioner submits that neither the house belong to him nor he has criminal antecedent but due to enmity, implicated. Further, he shall be diligently appearing in trial and the last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.10,000/- by Demand Draft issued by the local branch of the State Bank of India for the beautification of the Civil Court Campus, Sitamarhi.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid facts as also that nothing has been recovered from his conscious possession, the house does not belong to him, do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- by Demand Draft issued by the local branch of State Bank of India for the beautification of the Civil Court Campus, Sitamarhi and the receipt has to be submitted before the Trial Court.

7. However, contrary to the statement, if it is found that the petitioner has criminal antecedent, the present order



shall become infructuous.

8. 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) with two sureties of like amount each to the satisfaction of learned Court of Exclusive Special Excise Court-II, Sitamarhi in connection with Nanpur P.S. Case No. 464 of 2023, 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/her 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 bail bonds.

9. Let a copy of the order be sent to the Principal District & Sessions Judge, Sitamarhi for his perusal and needful.

(Rajiv Roy, J)

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