

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22099 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- UJIYARPUR District- Samastipur

Lalit Kumar Son of Maheshwar Sahni Resident of Village - Patpara, P.S.-
Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2025 Heard Mr. Raja Ram Mishra, learned counsel for the
petitioner and Mrs. Sangeeta Sharma, learned APP.

2. The petitioner is apprehending his arrest in connection with Ujiyarpur P.S. Case No. 178 of 2024 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 15.07.2024 by the informant, Md. Saifullaha Ansari.

3. As per the prosecution story, the Police intercepted a motorcycle, the persons riding on it were taken into custody as 22 liters of country-made liquor recovered from it. This led to the FIR.

4. Learned counsel for the petitioner submits that the petitioner do not have criminal antecedent and got implicated only because his uncle, one of the arrested person, Dhaneshwar



Sahani had taken the motorcycle, he has no concern with the liquor recovered in the matter.

5. Learned APP opposes the prayer submitting that he owns the motorcycle from which the recovery has been made.

6. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession rather from the other accused persons who stand arrested, do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. If, however, it is found that the petitioner has criminal antecedent(s), 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 Exclusive Special Judge, Excise-01, Samastipur, in connection with Ujiyarpur P.S. Case No. 178 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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