

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30882 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- MAKER District- Saran

Sajid Khan S/o Chidu Khan R/o E48/3A, Begam Bihar Extension, P.S.- Ext.
Begampur, Distt- North East Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the State : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Maker P.S. Case No. 02 of 2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 06.01.2025 by the informant, Praveen Kumar.

3. Learned counsel for the petitioner intends to pay Rs.200/- to Patna High Court Legal Services Committee and the receipt has to be submitted on Wednesday i.e. on 21.05.2025 before the Court Master.

4. As per the prosecution story, the informant alleged that the Police during patrolling and vehicle checking, intercepted a car and there is recovery/seizure of 469.500 liters foreign liquor which led to the F.I.R.

5. Learned counsel for the petitioner submits that the car belongs to him, it has Delhi number, he had given this to Deepak Nagar who handed it over to Rohit Kumar who chose to



replace the number plate with Bihar registration number, has no role to play in the matter and has no criminal antecedent. Last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.25,000/- by Demand Draft issued by the local branch of the State Bank of India in the favour of the District Legal Services Authority, Saran at Chapra for the beautification of the Civil Court Judgeship, Saran at Chapra.

6. Learned APP opposes the prayer for bail submitting that he being the car owner cannot exonerate himself from the responsibility.

7. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession nor he has criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

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 3rd Exclusive Special Excise Judge, Saran at Chapra, in connection with Maker P.S. Case No. 02 of 2025 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.

(Rajiv Roy, J)

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