

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34511 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- BANJARIA District- East Champaran

Jitendra Sahani S/o- Late Ramchandra Sahani Vill- Jhakhiya P.S.-Banjariya
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Banjariya P.S. Case No. 119 of 2024 for the offence under sections 272 and 273 of the Indian Penal Code 30(a), 41 and 45 of the Bihar Prohibition and Excise Act lodged on 10.06.2024 by the informant, Indrajeet Paswan.

3. As per the prosecution story, the Police upon secret information reached the shop of the Golu Sahani. Though Ajay Rai was arrested, Jitendra Sahani (petitioner herein) managed to escape. There is recovery/seizure of 8.640 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no role to play, admittedly, the Police visited the shop of Golu Sahani, the recovery is from Ajay Rai.



5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the recovery is from Ajay Rai, though this petitioner has criminal antecedent, nothing has been recovered from his conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, East Champaran in connection with Banjariya P.S. Case No. 119 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/-

U		T	
---	--	---	--

