

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37212 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- JOGAPATTI District- West Champaran

Chandrika Sah S/O- Badari Sah R/O Village- Piparahiya, P.S.- Nawalpur,
Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash, Advocate

For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Yogapatti P.S. Case No. 95 of 2025 instituted under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 28.02.2025 by the informant, Varun Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, the place was raided and there is recovery/seizure of altogether 35 liters of country made liquor. The locals gave the name of this petitioner as the person who escaped. This led to the FIR.

4. Learned counsel for the petitioner submits that he has absolutely no role to play in the matter, has no criminal antecedent and only because that the locals gave his name, has been implicated. Further, he shall be diligently appearing in



trial.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the recovery/seizure is from an open place, he has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Yogapatti P.S. Case No. 95 of 2025 to the satisfaction of learned Exclusive Special Judge, Excise court No.II, Bettiah, West Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

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