

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59558 of 2025

Arising Out of PS. Case No.-567 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Santosh Sahani son of Vishwanath Sahani Resident of Village - Ranighat
Gaushala PS- Sahayak District -Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Nagar (Sahayak) P.S. Case No. 567 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 07.06.2025 by the informant, Vinod Kumar Mandal.

3. As per the prosecution story, the informant alleged that on secret information, the *toto* was intercepted and there is recovery/seizure of 54 liters country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the *toto* does not belong to him, Police on wrong information implicated him only because he have criminal antecedents. The last submission is that without accepting the allegation and/or



the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- to the District Legal Services Authority, Katihar for beautification/putting up flower pots/sanitary vending machines whichever is/are required in the Civil Court Campus of Katihar Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that he has been named.

6. Taking into account the submissions of the parties as also that the petitioner does not own the said *toto* and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Katihar for beautification/putting up flower pots/sanitary vending machines whichever is/are required in the Civil Court Campus of Katihar Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Katihar.

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 Additional Sessions Judge, Exclusive Special Excise, Court-II, Katihar in connection with Nagar (Sahayak) P.S. Case No. 567 of 2025 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.

8. A copy of the order be sent to the Principal District
and Sessions Judge, Katihar for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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