

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61270 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- SONBERSA District- Sitamarhi

Shambhu Ram S/o Late Yugal Ram @ Late Jugal Ram R/o village - Hanuman
Nagar Lalbandi, P.S. - Sonbarsa, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Sonbarsa P.S. Case No. 269 of 2024 for the offence
registered under sections 317(5) of BNS and 30(a) of Bihar
Prohibition and Excise Act.

3. As per the prosecution story, the Police intercepted
a four wheeler and two motorcycles and there is
recovery/seizure of altogether 270 liters Nepali liquor. This led
to the FIR.

4. It is the case of the petitioner that nothing has been
recovered from his conscious possession nor he owns either of
the three vehicles. The person, Manoj Kumar Yadav was
arrested, named him.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though he do not own the vehicle, Manoj Yadav gave his name.

6. Considering the submissions of the parties as also that the petitioner has no criminal antecedent and none of the vehicles belong to him, nothing has been recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Sitamarhi in connection with Sonbarsa P.S. Case No. 269 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 attendance and at the end of the period, the certificate be submitted to the Court;

(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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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