

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61293 of 2025

Arising Out of PS. Case No.-751 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Bholi Sahani @ Bhola Sahni S/o Ramadhar Sahani Resident of village
-Gehuwachak, P.S.- Motipur, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard Mr. Manoj Kumar, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Utpad Thana Case No. 751 of 2025 for the offence registered under sections 30(a)/32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution story, the informant alleged that a motorcycle was intercepted and there is recovery/seizure of 10 liter country made liquor. One Vidyanand Kumar was arrested who gave the name of the petitioner. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that neither anything has been recovered from his conscious possession nor the motorcycle belongs to him but only because



of criminal antecedent, got implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the aforesaid facts as also that he does not own the motorcycle, 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 Judge Excise, II, Muzaffarpur in connection with Utpad Thana Case No. 751 of 2025 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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