

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67647 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- SHEOHAR District- Sheohar

1. Sachin Kumar s/o Rup Narayan Bhagat R/o Village - Madhopur Anant, P.S - Sheohar, District - Sheohar
2. Rajeshwar Kumar S/o Laxmi Bhagat R/o Village - Madhopur Anant, P.S - Sheohar, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amir Alam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-09-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Sheohar P.S. Case No. 84 of 2025 instituted under Sections 30(a), 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 06.03.2025 by the informant, Rashmi Rani.

3. As per the prosecution story, the Police on secret information, intercepted a motorcycle and recovered/seized 13.500 liters of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioners submit that the motorcycle belongs to petitioner no.2, Rajeshwar Kumar, nothing has been recovered from their conscious possession and



only because of enmity, have been named.

5. Learned APP opposes the prayer stating that the petitioner no.1 has criminal antecedent.

6. Taking into account the submissions of the parties as also that the FIR has been lodged, the petitioners shall be facing the trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their 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) each with two sureties of the like amount each in connection with Sheohar P.S. Case No. 84 of 2025 to the satisfaction of learned Exclusive Special Judge, Excise, Sheohar 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 petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;



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

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners 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;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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