

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.486 of 2025

Arising Out of PS. Case No.-226 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Dinesh Sahani @ Dinesh Kumar S/o Bhikhan Sahani R/o Village- Jagatiya
Ward No.3, P.S.- Pkaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar Ii, Adv

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Altogether 40 liters of illicit country made liquor is said to have been recovered from the motorcycle. The police has seized the motorcycle and 40 liters of country made liquor from the place of occurrence. Accused persons fled away.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either



with the seized liquor or any trade of liquor. He was not apprehended on the spot. Similarly situated co-accused, namely, Rajan Kumar has been granted anticipatory bail by this court vide order dated 18.12.2024 passed in Cr. Misc. No. 87086 of 2024. Petitioner has one criminal antecedent with similar nature of offence.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Pakadidyal P.S. Case No. 226 of 2024, subject to the condition as laid down under Section 482 of BNSS, 2023, with the following conditions:

- (i) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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