

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88275 of 2024

Arising Out of PS. Case No.-279 Year-2021 Thana- BHORE District- Gopalganj

Sandeep Kumar Sahani @ Sandeep Sahani S/o Awdhesh Mahato R/o
Ramnagar, P.S. - Bhore, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 30-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bhore P.S. Case no.279 of 2021 registered under section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2022.

3. As per the prosecution case, the informant states
that on seeing police personnel the accused left his Creta Car
bearing Registration No. BR01PB6827 and managed to escape.
On search, a total of 535.800 liters of country made liquor is
said to have been recovered from the dicky of the said car.



4. Learned counsel for the petitioner submits the petitioner is not named in the F.I.R and his name subsequently transpired during course of investigation of another case. The petitioner has been directed to file supplementary affidavit to explain as to how his name has transpired in the present case vide order dated 24.01.2025 which is taken on record. Learned counsel for the petitioner submits that he was apprehended in a case bearing Bhore P.S. Case No. 535 of 2021 and in that case the petitioner was driving the vehicle which is the subject matter in the present case, however, the petitioner was not remanded in the said case. So far as the material collected during the investigation of the present case is concerned, no other substantial evidence has been collected against the petitioner and also no recovery has been made from physical or conscious possession of the petitioner. He undertakes to co-operate the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner has nine criminal antecedents of similar nature. In response, learned counsel for the petitioner submits that he is on bail on the said cases except two as mentioned in paragraph no. 3 of the petition.



6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhore P.S. Case no.279 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Excise Court No. 1, Gopalganj, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the submission of the charge-sheet.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the



petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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