

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8546 of 2025

Arising Out of PS. Case No.-392 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Shankar Sahni S/o- Ram Diyal Sahni @ Ram Dayal Sahni R/o- Amsor
Chortol, Nathu Doar, P.S. Khanpur, Dist-Samastipur, Bihar - 848236
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yash Sahay

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2025 1. 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 under Sections 30(a) & (c)
of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of recovery
of 22 liters of liquor along with 250 liters of jaggery solution.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large and he came to be implicated at
the instance of local people but then the name of the person who
disclosed the name of the petitioner is not disclosed in the FIR
which casts an aspersion on the case of the prosecution.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Samastipur Excise P.S. Case No. 392 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than one case in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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