

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8015 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- Chhaudahi District- Begusarai

GUDDU KUMAR SAHNI @ GUDDU KUMAR S/o Harihar Sahani @ Late
Harihar Sahani R/o vill - Baraipura, ward no. 15, P.S.- Chhourahi, Distt.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 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) and
30(c) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 5 litres of liquor from a
banana orchard along with other articles.

5. 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. It is further submitted that petitioner came to be implicated at the instance of the Chawkidar but then submits that the police in mechanical manner implicate either at the instance of the Chawkidar, secret information, confessional statement or disclosure made by the local person.

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

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chhourahi P.S. Case No. 158 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the provisional anticipatory bail order shall not be



confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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