

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16662 of 2025

Arising Out of PS. Case No.-620 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Anil Sahni @ Anil Sahani S/o- Ramdev Sahani Village- Hussepur Naya Tola
Ps- Sahebganj Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Shabina Talat
For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 216-04-2025
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 Section 30(a) of the Bihar Excise Act.
3.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 40 litres of liquor from a motorcycle.
4.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized motorcycle. It is next submitted that he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding



a proper investigation either at the instance of Chowkidar, local people, secret information or confessional statement.

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. 15,000/- (Rupees Fifteen 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 Sahebganj P.S. Case No. 620 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

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 more than three cases in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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