

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17629 of 2025

Arising Out of PS. Case No.-1181 Year-2024 Thana- Excise P.S. District- East Champaran

Sanjay Kumar Sahani Son of Babulal Sahani R/o -Mehwa P.S.- Sugauli
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 JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 14-07-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30(a) of Bihar
Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that 132
liters of country made liquor was recovered from three
motorcycles and one co-accused namely, Suman Kumar was
apprehended on the spot and disclosed the name of other
accused persons.

4. Learned counsel for the petitioner submits that the
name of the petitioner has surfaced in the present case on
account of the fact that he is said to be the owner of the
motorcycle from which 60 liters of liquor was recovered. It has



been submitted that petitioner had given his motorcycle to the said Suman Kumar for purchasing medicine and he had no knowledge about the said incident. Further, there is no independent witness to the seizure list and the name of petitioner was not disclosed by the apprehended accused person. The person whose name was disclosed has already been granted the privilege of anticipatory bail vide order dated 22.11.2024, passed in Cr. Misc. No. 75529 of 2024.

5. The learned APP for the State opposes the prayer for bail on the ground that the petitioner has three criminal antecedents of the same nature. In response, it is submitted that he is on bail in all the three cases.

5. Considering the aforesaid facts and circumstances of the case, I am inclined to grant privilege of anticipatory bail to the petitioner. Let the petitioner, in the event of his arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Excise P.S. Case No. 1181 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition:-



(i) The learned court below shall verify the criminal antecedent of the petitioner before releasing him on bail, which shall be done, preferably, within a period of three weeks .

(ii) The petitioner would make himself available before the investigating officer of the present case at interval of every 15 days till submission of charge sheet.

(Soni Shrivastava, J)

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