

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24526 of 2025

Arising Out of PS. Case No.-31 Year-2022 Thana- RAJEPUR District- East Champaran

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Vinod Sahani @ Binod Sahani S/o Late Khemani Sahni R/o Village- Naraha
Chandi Dab, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Ms. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-05-2025 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 272 and
273 of the Indian Penal Code read with Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that
inadvertently at Para-3 it has been pleaded that petitioner is a
person with clean antecedent when petitioner has antecedent of
two cases, thus, learned counsel seeks permission to make
rectification at Para-3 of the anticipatory bail application.

4. Permission is accorded.

5. It is further submitted that allegation is of recovery
of 20 liters of liquor from house of brother of the petitioner and



Akhilesh and Dasrago Devi was arrested.

6. 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 the house of the brother of the petitioner while petitioner lives separately. It is next submitted that since petitioner is brother of Ram Sevak from whose house the liquor was recovered as such he came to be implicated at his instance. It is also submitted that there is a property dispute between the brothers.

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

8. 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. 10,000/- (Rupees Ten 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 Rajepur P.S. Case No. 31 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



9. It is made clear that the learned Trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail shall not be confirmed, but in the event if it is found that petitioner has antecedent of two cases only in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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