

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30462 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Raghunathpur District- East Champaran

Mithu Sahani S/O Late Mahendra Sahani @ Mahendra Sahni Resident of
Village- Nya Tola Jhakiya (Naya Tola Jhakiya), P.S.- Banjariya, District - East
Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard Learned counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection
with Raghunathpur P.S. Case No. 62 of 2024 lodged on
24.06.2024, for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner.
Total recovery of 20 litres of illicit liquor has been made which
is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the alleged recovery has been made under the bush
and nothing has been recovered from the petitioner's possession.
Counsel submits that petitioner's name has come in this case



only on suspicion. Counsel submits that the criminal antecedent of the petitioner is not clean as there are three cases pending against him and in all the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are three cases pending against him and all are registered under Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with liberty granted to the petitioner that if, he surrenders before the Trial Court within a period of six weeks from today, then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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