

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42204 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- SIKANDRA District- Jamui

Sanjay Sao @ Sanjay Sah S/o Baidhu Sao @ Bodhu Sah R/o Village- Ranhan,
P.S.- Sikandra, P.O.- Madheo Simaria, District- Jamui (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Jay

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 17-12-2025 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 offence punishable under Sections 126(2), 115(2), 121(1), 132, 238 and 3(5) of the BNS and Sections 30(a) and 45 of Bihar Prohibition and Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases and based on information, the police force had gone to arrest Shyam who was selling liquor from his house but when the police force reached it is alleged that accused persons including the petitioner started pelting stones at the force and even assaulted and snatched the seized liquor and Shyam Manjhi fled.

4. Learned counsel submits that petitioner has been



falsely implicated in the instant case by the informant. It is next submitted that petitioner is not related with Shyam Manjhi in any manner and allegation of assaulting the force is general and omnibus in nature and since petitioner has antecedent as such he came to be implicated at the instance of chowkidar when his house is 3 km away from the place of occurrence.

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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15000/- (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 Sikandra P.S. Case No.26/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, in that event, it would be presumed that petitioner



had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification 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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