

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52248 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- Pahleja P.S. District- Saran

-
1. Pankaj Kumar @ Pankaj Sahani S/O Amarjeet Sahani R/O Village- Saidpur, P.S- Pahleja, P.O- Rahimpur, Distt.- Saran.
 2. Dhiraj Kumar @ Dhiraj Rai S/O Birendra Rai R/O Village- Saidpur, P.S- Pahleja, P.O- Rahimpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Pahleja P.S. Case No.51 of 2025, for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, the total recovery of 50 liters country made liquor has been alleged to be made from a strange place, which is subject matter of the present case.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the petitioners have been falsely implicated in the present case. He further submits that their names have inserted in this case by virtue of local chowkidar who has inimical relation with the petitioners. He further submits that alleged recovery has not been made from conscious possession of the petitioners.

5. Counsel submits that the criminal antecedent of the petitioner No.1 is clean whereas petitioner No.2 has one criminal antecedent in which he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that petitioner No.1 has no criminal antecedent whereas petitioner No.2 has one criminal antecedent.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of 2nd Exclusive Special Excise Judge, Saran at



Chapra, in connection with Pahleja P.S. Case No.51 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

