

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55284 of 2025

Arising Out of PS. Case No.-603 Year-2022 Thana- KESARIA District- East Champaran

1. Manoj Sahani @ Manoj Sahni S/o Harendra Sahani Resident of Village - Banparua, P.S. - Dumariyaghat, District - East Champaran
2. Ranjeet Sahani S/o Rama Sahani Resident of Village - Banparua, P.S. - Dumariyaghat, District - East Champaran
3. Dilip Kumar @ Dilip Sahani S/o Rama Sahani Resident of Village - Banparua, P.S. - Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar, Advocate
		Mr. Sumit Kumar, Advocate
For the Opposite Party/s	:	Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a), 32 and 41(1) of Bihar Prohibition and Excise (Amendment) Act.

3. Learned counsel for the petitioners submits that petitioners have antecedents of three cases and allegation is of recovery of 70 litres of liquor from a plastic gallon and 6000 litres of Mahua Paas was destroyed. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged



recovery is from a place which does not belong to the petitioners and they came to be implicated at the instance of local person but the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.-2, East Champaran, Motihari in connection with Kesariya P.S. Case No.603 of 2022, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event,



if it is found that petitioners have antecedents of more than three cases, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioners have antecedents of only three cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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