

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63125 of 2025

Arising Out of PS. Case No.-312 Year-2025 Thana- BANJARIA District- East Champaran

Ramkewal Sahani @ Ram Kewal Sahni @ Ramkewal Kumar S/o Sukhdev
Sahani @ Sukdev Sahni Resident of village- Jhakhiya, P.S.- Banjariya, Distt-
East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Sagar Kumar, Advocate Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Banjariya P.S. Case no. 312 of 2025, registered under sections 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received and a raid being conducted, 1.875 litres of IMFL was recovered from the hut situated behind the house of Mukesh Sahani while 9 litres of IMFL was recovered from the hut situated behind the house of the petitioner herein.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. From the contents of the FIR itself it would



transpire that the alleged place of recovery is not the house of the petitioner but from an open place behind the house of the petitioner accessible to all. The cause of false implication of the petitioner is his antecedent. He undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, the alleged place of recovery being not the house of the petitioner but a place behind the house of the petitioner together with the petitioner not having been arrested at the spot, in the facts of the case, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Banjariya P.S. Case no. 312 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court no.1, East Champaran, Motihari.

(Partha Sarthy, J)

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