

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77666 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- SAHEBGANJ District- Muzaffarpur

Anil Sahani @ Anil Kumar S/o Ramdeo Sahani R/o Village- Naya Toya,
Hussepur @ Telia Chhapra, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-11-2025 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 30(a) and 30(d) of Bihar Prohibition and Excise Act2.

3. Learned counsel for the petitioner submits that a supplementary affidavit has been filed and from perusal of the same it would manifest that petitioner has antecedent of six cases and allegation is of recovery of 230 litres of liquor along with 5000 litres of Mahua Jaggery from Diyara area. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and he came to be



implicated at the instance of chowkidar with whom he is on an inimical term. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without proper investigation either through chowkidar, local person, confessional statement or secret information.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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.30,000/- (Rupees thirty 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 Sahebganj P.S. Case No.99/2025, 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 six 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 six cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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