

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71276 of 2025

Arising Out of PS. Case No.-650 Year-2022 Thana- HARSIDHI District- East Champaran

Rinku Sahani @ Rinku Sahni Son of Prabhu Sahani Resident of village
-Damobiriti (Damovriti) PS- Harsidhi District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code as well as Section 30(a) of Bihar Prohibition & Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that petitioner has antecedents of four cases and allegation is of recovery of 270 litres of liquor from Damobriti Chawar.

4. Learned counsel for the petitioner submits 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 is accessible to public at large and does not belong to the petitioner and he came to be



implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant 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 petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-1, East Champaran at Motihari in connection with Harsidhi P.S. Case No.650 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

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



found that petitioner has antecedents of more than four cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his 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 petitioner has antecedents of only four cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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