

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76962 of 2025

Arising Out of PS. Case No.-362 Year-2025 Thana- PIPRA District- East Champaran

Dharmendra Sahani @ Dharmendra Kumar Sahani S/o Chandradev Sahani
Resident of- Raasmandal, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2025 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 offences punishable under Sections 30(a) and
41(1) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 90 litres of liquor from a sack behind the house of
Chandradev Sahani.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated based on the fact that he is
son of Chandradev Sahani. It is next submitted that even the
alleged recovery is not from the house of the petitioner but then



from a place which is adjacent to his house, as such, based on the secret information, he came to be implicated which is the easiest way to implicate someone.

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

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five 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 Pipra P.S. Case No. 362 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioner has antecedent of only one case in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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