

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81365 of 2025

Arising Out of PS. Case No.-277 Year-2025 Thana- MANIYARI District- Muzaffarpur

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Amarjeet Sahani @ Amarjeet Sahni @ Aalu Chap S/o Late Kamleshwar Sahani R/o Village- Mahanth Maniyari Laxmipur Tola, PS- Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-12-2025 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 38 of the Bihar Excise Act.

 3. Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and allegation is of recovery of 10 litres of liquor from a place behind poultry farm along with 5000 litres of raw mahua.

 4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even the alleged recovery is from a place which does not belongs to the



petitioner, but then is near to his poultry farm, as such he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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, 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. 25,000/- (Rupees Twenty-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 Maniyari P.S. Case No. 277 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more



than five cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of five cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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