

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84875 of 2025

Arising Out of PS. Case No.-359 Year-2025 Thana- PIPRA District- East Champaran

1. Vishwanath Sahani Son of Late Ramashray Sahani R/o Village - Tikulia, P.S. - Pipra, District - East Champaran.
2. Jalandhar Sahani @ Janardhan Sahani Son of Late Daroga Sahani R/o Village - Tikulia, P.S. - Pipra, District - East Champaran.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. A perusal of the first information report and the seizure list would go to show that total 51 liters of country made liquor has been recovered from a sack tied on the motorcycle.

4. Learned counsel for the petitioners submits that from perusal of the F.I.R. it would be evident that the name of the petitioners have transpired on the basis of disclosure made by the local Chaukidar due to animosity. It is also a fact that the



petitioners were not caught on the spot and nothing has been recovered from the physical or conscious possession of the petitioners.

5. Learned APP for the State opposed the prayer for anticipatory bail on the ground that petitioner no.1 has one criminal antecedent of similar nature of the offence. In response, it is submitted that the petitioner no.1 is on bail in the said case.

5. Taking into consideration the facts and circumstances of the case as also the fact that no recovery has been made from conscious possession of the petitioners and they have been roped in this case on the disclosure made by the local Chaukidar, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/ successor Court in connection with Pipra P.S. Case No.359 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./Section 482 (2) of the B.N.S.S. and subject to the further condition that :

(i) The petitioners shall cooperate in the



investigation/trial.

(ii) The one of the bailors will be a family member/
close relative.

(iii) The court below shall verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay, preferably within two weeks.

(Soni Shrivastava, J)

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