

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1717 of 2026

Arising Out of PS. Case No.-124 Year-2025 Thana- Raghunathpur District- East Champaran

1. Raj Kishore Sahani S/o Ramashray Sahani R/o Village- Majhariya, P.S- Raghunath Pur, District- East Champaran
2. Shiv Sahani @ Shiv Kumar S/o Late Ramadhar Sahani R/o Village- Majhariya, P.S- Raghunath Pur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 41(1) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 395 liters of liquor along with 400 liters of semi manufactured liquor which was destroyed at the place of occurrence i.e. near a river.

4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession even alleged recovery is from a place which does not belong to the petitioners and they came to be implicated at the instance of local person, but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 500/- (Rupees Five Hundred) each 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 Raghunathpur P.S. Case No. 124 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 petitioners and in the event if it is found that any of the petitioners have antecedent of even one case then it would be presumed that



petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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