

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4939 of 2026

Arising Out of PS. Case No.-273 Year-2025 Thana- SHIKARGANJ District- East Champaran

Bikku Sahani @ Bikku Kumar S/o Wakil Sahni R/O Village- Dhab Tola,
Tikuliya, P.O- Laxmipur, Tikuliya, P.S- Motihari Mufasil, Distt.- East
Champaran, Bihar- 845401.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohd Rustam Hussain, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2026 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 50 litres of liquor from a sack allegedly thrown by
the petitioner.

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 the alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large. It is further submitted that



petitioner came to be implicated at the instance of the Chawkidar with whom petitioner is on an inimical term. It is next submitted that it appears that the Chawkidar in order to save the real culprits falsely implicated the petitioner, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees Five Hundred) 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 Shikarganj P.S. Case No. 273 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./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 if it is found that petitioner has antecedent of even 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 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.1,500/- with the High Court Legal Services Committee, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

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