

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5217 of 2026

Arising Out of PS. Case No.-216 Year-2025 Thana- MUSRIGHRARI District- Samastipur

1. JITENDRA SAHNI S/o- Rajesh Sahni Resident of Gohda, P.S- Musrigharari, Dist-Samastipur, Bihar
2. Arvind Sahni @ Arvind Kumar S/o- Jagarnath Sahni Resident of Gohda, P.S- Musrigharari, Dist-Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Bhardwaj

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2 (Arvind Sahni @ Arvind Kumar), who was arrested during pendency of the instant anticipatory bail application.

3. Permission is accorded.

4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 2 (Arvind Sahni @ Arvind Kumar).

5. The petitioner no. 1 apprehends his arrest in a case



registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

6. Learned counsel for the petitioner submits that petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 305.28 litres of liquor from a bush near a garbage disposal building.

7. 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 belong to the petitioner and is accessible to public at large and he came to be implicated based on secret information which is the easiest way to implicate someone. 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.

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

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no. 1 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 Musrigharari P.S. Case No. 216 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

10. 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 one case 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 one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

11. At this stage, the learned counsel for the petitioners based on instruction submits that petitioners undertake to deposit an amount of Rs. 2,500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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