

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7210 of 2026**

Arising Out of PS. Case No.-297 Year-2025 Thana- Raghunathpur District- East Champaran

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1. Govinda Sahani @ Govinda Kumar S/o- Amirka Sahani @ Amerika Sahani R/v- Sapahi Britiya PS - Raghunathpur Dist- East Champaran
2. Dilip Sahani @ Dilip Kumar Sahni S/o- Amirka Sahani @ Amerika Sahani R/v- Sapahi Britiya PS - Raghunathpur Dist- East Champaran
3. Ashok Sahani @ Diwani @ Ashok Kumar Sahni S/o- Ramashish Sahani @ Ramshish Sahani R/v- Sapahi Britiya PS - Raghunathpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      19-02-2026                      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 Prohibition and Excise (Amendment) Act, 2016.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases under the Excise Act, petitioner no. 2 has antecedent of six cases out of which five cases are under the Excise Act and petitioner no. 3 has antecedent of five cases under the Excise Act and allegation is of recovery of 150 litres of liquor from the bank of Dhanauti



River.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioners but then is accessible to villagers at large. It is further submitted that petitioners came to be implicated at the instance of the local person and spy. It is next submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically either at the instance of the Chawkidar, local person, secret information or confessional statement without holding a proper investigation of the case. It is also submitted that petitioners earlier in similar manner came to be implicated.

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, let the petitioners above-named, in the event of their arrest or surrender 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 Raghunathpur P.S. Case No. 297 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 petitioners and if it is found that petitioner no. 1 has antecedent of more than two cases, petitioner no. 2 has antecedent of more than six cases and petitioner no. 3 has antecedent of more than five cases, it would be presumed that petitioners had concealed their 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 no. 1 has antecedent of only two cases, petitioner no. 2 has antecedent of only six cases and petitioner no. 3 has antecedent of only five cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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