

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8815 of 2026

Arising Out of PS. Case No.-441 Year-2025 Thana- NAANPUR District- Sitamarhi

Chandan Sahni @ Chandan Sahani Son of Raghunath Sahani R/O- Mahni,
Ward No. 3, P.S.- Nanpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Nanpur P.S. Case No. 441 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, 17 litre illicit country made chulai liquor was recovered from plastic bags recovered at the place of occurrence. Local chaukidar and local people disclosed the name of the petitioner and others who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He



further submits that place of recovery is an open place which is accessible to all and petitioner cannot be held liable for the alleged recovery. Petitioner is not in any way connected with the alleged recovery. Petitioner was not found at the place of occurrence. Seizure list has not been made as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears criminal antecedent of one case. He further submits that just because of having criminal antecedent, petitioner has falsely been implicated in the present case.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that petitioner is FIR named accused and hence, petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 anticipatory bail on furnishing bail bond of Rs.



10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court No. 2, Sitamarhi in connection with Nanpur P.S. Case No. 441 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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