

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13150 of 2026

Arising Out of PS. Case No.-206 Year-2025 Thana- ASHOK PAPER MILL District-
Darbhanga

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1. Chandu Sahani @ Chandu Kumar S/O- Premi Sahni @ Prem Sahni Resident of village- Mannupur Kharra, P.S.- Hayaghat, District- Darbhanga (Bihar).
 2. Hareram Sahni @ Baudha Sahni S/O-Premi Sahni @ Prem Sahni Resident of village- Mannupur Kharra, P.S.- Hayaghat, District- Darbhanga (Bihar).
 3. Premi Sahni @Prem Sahni Son of Pulkit Sahni @ Phulkit Sahni Resident of village- Mannupur Kharra, P.S.- Hayaghat, District- Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2026 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that
the petitioner no.1 has antecedent of one case under the Excise
Act and petitioner nos.2 and 3 are persons with clean antecedent
and the allegation is of recovery of 30 litres of liquor from a
motorcycle.

4. The learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and petitioner no.3 came to be implicated based on the fact that he is owner of the seized motorcycle and petitioner no.2 is his son. It is further submitted that the name of the accused also transpired in the confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) 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 A.P.M. P. S. Case No.206 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of more than one case and petitioner nos.2 and 3 have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner no.1 has antecedent of one case only and petitioner nos.2 and 3 are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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