

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12307 of 2026

Arising Out of PS. Case No.-647 Year-2025 Thana- SARAIYA District- Muzaffarpur

1. Mukesh Sahni S/o Jhagaru Sahni Resident of Village- Bahilwara Bhual Uttarigadh, P.S.- Saraiya, District- Muzaffarpur,
2. Vimal Sahni S/o Raghuvar Sahni Resident of Village- Bahilwara Bhual Uttarigadh, P.S.- Saraiya, District- Muzaffarpur,
3. Shankar Sahni S/o Lal Bahadur Sahni Resident of Village- Bahilwara Bhual Uttarigadh, P.S.- Saraiya, District- Muzaffarpur,
4. Chandan Sahni S/o Dharmnath Sahni Resident of Village- Bahilwara Bhual Uttarigadh, P.S.- Saraiya, District- Muzaffarpur,
5. Sakal Sahni @ Sikil Sahni S/o Jam Bahadur Sahni @ Jang Bahadur Sahni Resident of Village- Bahilwara Bhual Uttarigadh, P.S.- Saraiya, District- Muzaffarpur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-02-2026 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 120 liters of liquor from a bush.
4. Learned counsel for the petitioners submits that



petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and even 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 at the instance of Chowkidar. It is further submitted that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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, the petitioners above-named, in the event of their 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) 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 Saraiya P.S. Case No. 647 of 2025 subject to the conditions as laid down under Section 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 in the event if it is found that any of the petitioners have antecedent of even one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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