

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14928 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- HAJIPUR SADAR District- Vaishali

1. Pradeep Kumar S/o- Raj Narayan Sahni Resident of village- Ismailpur PS Hajipur Sadar Dist- Vaishali
2. Laxmi Sahni @ Lakshmi Sahni S/o- Mahavir Sahni R/v- Mahnar Ps- Mahnar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-03-2026 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 petitioner no. 1 has antecedent of one case under the Excise Act and petitioner no. 2 is a person with clean antecedent and allegation is of recovery of 100 litres of liquor from two motorcycles.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and petitioner no. 2 came to be implicated based on the fact that he is owner of one of the seized motorcycles. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that petitioner no. 2 was completely unaware that Manish would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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 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) 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 Hajipur Sadar P.S. Case No. 2 of 2026 subject to the conditions as laid down under Section 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 petitioner no. 1 has antecedent of more than one case and petitioner no. 2 has 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 with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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