

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15517 of 2026

Arising Out of PS. Case No.-586 Year-2025 Thana- BANJARIA District- East Champaran

Om Prakash Sahani Son of Ashok Sahani R/o Village - Chilwaniya, P.S. -
Banjariya, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Banjariya P.S. Case No. 586 of 2025 instituted for the offences under Sections 30(a), 3291(2), 41(1)(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 466.02 litres of liquor was recovered from Bolero vehicle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no knowledge and concern with the alleged recovery of liquor.



Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the petitioner has four criminal antecedents of similar nature.

6. Considering the aforesaid facts and circumstances of the case as also the fact that petitioner bears four criminal antecedents of similar nature, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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