

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22746 of 2026

Arising Out of PS. Case No.-402 Year-2024 Thana- BANJARIA District- East Champaran

Golu Kumar Sahani Son of Shambhu Sahani R/o Jhakhiya, P.S. - Banjriya
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Banjariya P.S. Case No. 402 of 2024, dated 06.12.2024, lodged under Sections 274 & 275 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Sections 30(a) & 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022, pending before the Court of Special Judge, Excise Court No. 1, East Champaran, Motihari.

3. As per the prosecution, total recovery of 72 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner was neither apprehended from



the spot nor was anything illicit recovered from his possession. Counsel also submits that the criminal antecedent of the petitioner is not clean, as there are seven criminal cases pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean, as there are seven criminal cases of a similar nature pending against him.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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