

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23689 of 2026

Arising Out of PS. Case No.-24 Year-2026 Thana- VAISHALI District- Vaishali

1. Nirmala Devi Wife of Jai Prakash Sahani Resident of Village- Bhagbatpur Dharampur, P.S.- Vaishali, District- Vaishali
2. Puspa Sahani @ Puspa Kumari Wife of Subodh Sahani Resident of Village- Bhagbatpur Dharampur, P.S.- Vaishali, District- Vaishali
3. Subodh Sahani Son of Ramjeet Sahani Resident of Village- Bhagbatpur Dharampur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2026 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 Sections 190, 132, 121(1), 263 of the BNS and Sections 30(a) and 45 of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.1 and 2 are women and allegation is of recovery of 50 litres of liquor from house of Gautam. It is next submitted that petitioners were not arrested 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 petitioners but then they came to be implicated based on confessional statement of Gautam and Satyendra in police custody which does not have any evidentiary value. It is next submitted that Gautam is agnate of petitioners and are having dispute relating to property as such it might be a possibility that in order to settle property dispute, the petitioners came to be implicated in the instant case when they are persons with clean antecedent.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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.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 Vaishali P.S. Case No.24/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court



thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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