

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25405 of 2026

Arising Out of PS. Case No.-59 Year-2026 Thana- DUMARIAGHAT District- East
Champaran

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1. Mishrilal Sahani Son of Nawab Sahani Resident of Village- Banparua, P.S.-
Dumariyaghat, District- East Champaran
 2. Ranjit Sahani @ Ranjit Sahni Son of Rama Sahani Resident of Village-
Banparua, P.S.- Dumariyaghat, District- East Champaran

... .. Petitioners

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
	:	Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Learned counsel for the petitioner seeks
permission to withdraw this application with regard to petitioner
no.1 submitting that during pendency of this application the
petitioner no.1 has already been apprehended by the police,
therefore, it has become infructuous.

3. Permission is granted.

4. Accordingly, this application with regard to
petitioner no.1 is dismissed as withdrawn.

5. Now, this application survives only with regard
to petitioner no.2.

6. The petitioner apprehends his arrest in a case



registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

7. The allegation in the First Information Report is that 200 litres of country made liquor was recovered from a sack placed near Hauli Ghat.

8. Learned counsel for the petitioner submits that the recovery has been made from an open place, which is easily accessible to others. The name of the petitioner has transpired on the basis of disclosure made by *Chaukidar*. It is further submitted that there is no independent witness to the search and seizure.

9. Learned APP for the State opposed the prayer for anticipatory bail on the ground that the petitioner has criminal antecedents.

10. At this stage, the petitioner has offered to deposit a sum of Rs.5,000/- (Rupees Five Thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

11. Taking into consideration the facts and circumstances of the case, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before



the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dumariyaghat P.S. Case No. 59 of 2026, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

12. The bail bond of the petitioner no.2 shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Soni Shrivastava, J)

anand/-

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