

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28349 of 2026**

Arising Out of PS. Case No.-5 Year-2026 Thana- MOTIHARI MUFASIL District- East  
Champaran

=====

Ramakant Sahani S/o- Vakil Sahani @ Wakil Sahni R/v- Tikuliya Dhab Tola  
Po- Laxmipur Tikuliya Ps- Muffasil Motihari Muffasil Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Mohd Rustam Hussain  
For the Opposite Party/s : Mr. Kalyan Shankar

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      29-04-2026                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Sections 30(a) and  
41(1) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 70 litres of liquor from a bush behind the house of  
petitioner. It is next submitted that petitioner was not arrested  
from the spot as such nothing was recovered from his conscious  
possession and even alleged recovery is from a place which  
does not belong to the petitioner but then is adjacent to his  
house and he came to be implicated at the instance of chowkidar



with whom he is on an inimical term. It is also submitted that if chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Muffasil P.S. Case No.05/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found that petitioner is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

