

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40830 of 2026

Arising Out of PS. Case No.-139 Year-2026 Thana- KALYANPUR District- East Champaran

Suresh Sahani @ Suresh Sahni S/o Muni Sahani @ Munnilal Sahani @
Munni Sahani R/o Vill- Siswa Kharar, P.S- Kalyanpur, District- East
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kundan Rathore Alias Kundan Kumar, Adv.
For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Kalayanpur P.S.
Case No.139 of 2026 registered under Section 30(a) of
Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 17 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the name of petitioner was arrayed solely
on the disclosure made by the chowkidar on account of his



alleged criminal antecedents of a similar nature. It is submitted that petitioner was not apprehended from the spot. It is also submitted that the recovery of illicit liquor was not made from conscious possession of the petitioner. It is further argued that no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. Explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases of similar nature, where he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail 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 of Exclusive Special Excise Court No. 3 I/C, East Champaran, Motihari, in connection with Kalayanpur P.S. Case No.139 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

aniket/-

U		T	
---	--	---	--

