

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48888 of 2026

Arising Out of PS. Case No.-172 Year-2026 Thana- BANJARIA District- East Champaran

Sonu Sahani S/o Shree Kant Sahani Resident Of Village - Jhakhiya, P.S.-
Banjariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Banjariya P.S. Case No. 172 of 2026 dated 08.03.2026 registered for the offences punishable under Section 111 of B.N.S. and Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the allegations, upon secret information that the petitioner and co-accused Sunil Sahni were transporting a huge quantity of illicit liquor on a motorcycle, the police conducted vehicle checking. It is alleged that two persons were found riding a motorcycle and, upon noticing the police, they abandoned two bags and fled from the spot, leaving the motorcycle. It is further alleged that, upon search of the said



bags, altogether 150 litres of country-made liquor was recovered.

4. Learned counsel for the petitioner has submitted that the petitioner was not apprehended from the spot, and he was identified to be one of the persons who had fled away from the place of occurrence. It has further been submitted that the motorcycle used in the alleged occurrence does not belong to the petitioner. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner. It has also been submitted that procedures prescribed in Section 105 of the B.N.S.S. have not been followed in this case. It has lastly been submitted that petitioner was earlier made accused in two other cases of similar nature, in which he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the learned counsel for the parties and perused the record.

7. Considering the facts and circumstances of the case and nature of material against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 Exclusive Special Excise Court No. 1, East Champaran at Motihari in connection with Banjariya P.S. Case No. 172 of 2026 subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

Ankit Kumar/-

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