

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49518 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- MUSRIGHRARI District- Samastipur

INDRAJEET SAHNI Son of Devnandan Sahni @ Devan Sahni Resident of
Ward No. 2, Gohda, Rupauli Buzurg, P.O.- Rupauli, P.S.- Musrigharai,
District- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-07-2026 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar, learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 33, 36 and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022, Sections 318(4) and 319(2) of the BNS as well as Sections 25(1-B)(a), 26 and 35 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of five cases out of which four cases are under the Excise Act and allegation is of recovery of one country made pistol from the hut of Jitendra Sahni along with two live cartridges, 6.75 litres of homoeopathic medicine, namely, Arnica, 1 litre of semi-prepared liquor like substance and some liquor wrappers.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant at the instance of Jitendra Sahni. It is further submitted that alleged recovery was made from the hut of Jitendra Sahni but Jitendra Sahni has not been made an accused, rather the informant in the FIR alleges that based on an information received on Dial 112, he came at the place of occurrence and Jitendra Sahni disclosed that Vipul, Aman along with petitioner had left a bag in his hut and thereafter the aforesaid recoveries were made. It is next submitted that since the recoveries were made from the hut of Jitendra Sahni, as such, Jitendra Sahni ought to have been made an accused or at least a witness on the seizure list but then Jitendra Sahni is neither an accused nor a witness on the seizure list which casts an aspersion on the case of the prosecution. It is also submitted that no doubt, petitioner has antecedent of five cases but then he was implicated in four cases of excise in a mechanical manner. It is further submitted that Jitendra Sahni and petitioner are agnates and are having dispute relating to property, as such, Jitendra Sahni got the petitioner implicated in the case. It is next submitted that Vipul Kumar Sahni @ Vipul Kumar and Aman Kumar @ Aadi had approached this Court seeking anticipatory



bail by filing Cr. Misc. No. 32850 of 2026 and the same came to be allowed by an order dated 13.05.2026 by this Court.

5. Mr. Rabindra Kumar, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let 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.25,000/- (Rupees Twenty-five Thousand) 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 Musrigharari P.S. Case No. 45 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than five cases, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioner has antecedent of only five cases in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Kundan/-

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

