

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49717 of 2026

Arising Out of PS. Case No.-326 Year-2026 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Pradeep Sahani @ Pradeep Kumar S/o Suraj Sahani Resident of Village- Bhataha, P.S.- Muffasil, District- East Champaran, Motihari
 2. Rinku Devi W/o Shyambabu Sahani Resident of Village- Bhataha, P.S.- Muffasil, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 22-07-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and petitioner no.2
is a woman and allegation is of recovery of 180 litres of liquor
from a place behind the house of petitioners.

4. Learned counsel for the petitioners submits that
petitioners were not arrested from the spot as such nothing was
recovered from their conscious possession and even alleged



recovery is from a place which does not belong to the petitioners but then is adjacent to their house and they came to be implicated at the instance of chowkidar with whom petitioner no.1 is on an inimical term.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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.326/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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



confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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