

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51594 of 2026

Arising Out of PS. Case No.-196 Year-2026 Thana- Excise P.S. District- Madhubani

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Sampat Sahni @ Sampati Sahni S/o Ramashish Sahni R/o Village -
Bundelkhand, P.S. - Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav, Advocate
	Mr. Rohit Kant Singh, Advocate
	Mr. Rajesh Kumar, Advocate
	Mr. Ravi Prakash, Advocate
For the Opposite Party/s :	Mr. Raj Kishor Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 28-07-2026 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 offences punishable under Sections 30(a) and
45 of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases out of which two cases
are under the Excise Act and allegation is of recovery of 0.750
litres of liquor from *dhaba* of the petitioner and 180 litres of
liquor from a motorcycle parked nearby.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted



that petitioner is not the owner of the seized vehicle and *dhaba* is a place where customers in large number come and it might be a possibility that some customers without the knowledge of the petitioner kept meager amount of liquor in the *dhaba*. It is next submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically either at the instance of the Chawkidar, local person, confessional statement or secret information without holding a proper investigation of the case.

5. 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.20,000/- (Rupees Twenty 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 Madhubani Excise P.S. Case No. 196 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 four 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 four cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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