IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80046 of 2026

CNR No. BRHC011154282026

Arising Out of PS. Case No.-466 Year-2026 Thana- PIPRAKOTHI District- East Champaran

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Subindra Sahani S/o Inderdeo Sahani Resident of Village - Majhariya, PS - Piprakothi, Distt. - East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the State : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Piprakothi P.S. Case No. 466 of 2026 registered for the offence(s) under Section(s) 30(a) of the Bihar Excise Prohibition Act.

3. The prosecution story is to the effect that the police, while patrolling, received secret information and conducted a raid and recovered 30 litres country made wine from the bush near the hutment of the petitioner and 8 litres country made wine from the motorcycle parked therein.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated on account of personal differences. It has further been submitted that admittedly, the

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recovery is made from the bush near the house of the petitioner and 8 litres country made wine recovered from the motorcycle, which does not belong to the petitioner and therefore, the same cannot be attributed towards the petitioner. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Piprakothi P.S. Case No. 466 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his

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close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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