

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3496 of 2026**

Arising Out of PS. Case No.-355 Year-2019 Thana- NAANPUR District- Sitamarhi

Sudhir Sahni @ Sudhir Kumar Sahni S/o- Kishori Sahni village - Mahisautha,  
P.S. - Nanpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Virendra Kumar  
For the Opposite Party/s : Ms.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      29-01-2026              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, 38(i)  
(ii) and 41 of the Bihar Excise Act.

3.    Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 6.375 litres of liquor from kiosk of the petitioner.

4.    Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and even the alleged  
recovery is from a kiosk which does not belong to the petitioner,  
but then police in a mechanical manner without holding a proper  
investigation based on disclosure made by local people



implicated the petitioner in the instant case, but then the name of the person, who disclosed the name of the petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution.

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 for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Nanpur P.S. Case No. 355 of 2019, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner is a



person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs. 1,500/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sumit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

