

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15776 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- SARAI RANJAN District- Samastipur

1. Vikash Kumar Jha S/O Late Rambabu Jha R/O Village-Harpur Barheta Tole Mosingpur, P.S- Sarairanjan, Dist.- Samastipur.
2. Ankit Kumar Maharaj @ Ankit Kumar S/O Sri Awdhesh Maharaj R/O Village- Bhatgama, P.S- Sarairanjan, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalmani Sharma

For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner No. 1 is a person with clean antecedent and the petitioner No. 2 has antecedent of one case and allegation is of recovery of 43.170 litres of liquor from a banana orchard.

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



not the owner of the banana orchard and they came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that police in a mechanical manner implicates without holding a proper investigation either at the instance of Chowkidar, local people, secret information or confessional statement.

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 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. 5,000/- (Rupees Five Thousand) 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 Sarairanjan P.S. Case No. 18 of 2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner No. 1 has antecedent of even one case and Petitioner No. 2 has antecedent of more than one case in that event the provisional anticipatory bail order shall not be



confirmed, but after verification if it is found that petitioner No. 1 is a person with clean antecedent and Petitioner No. 2 has antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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