

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23892 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- ISUAPUR District- Saran

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1. Aditya Singh @ Deepak Singh S/O Vindeshwari Singh R/O Village- Datra Pursauli, P.S- Isuapur, Distt.- Saran.
 2. Sanjit Singh S/O Vindeshwari Singh R/O Village- Datra Pursauli, P.S- Isuapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-05-2025 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of three cases and petitioner no. 2 has antecedent of two cases and allegation is of recovery of 560.34 litres of liquor from the house of Mahesh Singh.

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 the alleged recovery is from a place which does not belong to the



petitioners and they do not have any relation or connection with Mahesh Singh. It is further submitted that petitioners came to be implicated at the instance of the Chawkidar. It is next submitted that in cases relating to excise the police implicate mechanically either at the instance of the Chawkidar, local person, confessional statement or secret information. It is next submitted that once an accused is implicated in a case relating to excise the police start implicating mechanically.

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, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Isuapur P.S. Case No. 40 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioners and



if it is found that petitioner no. 1 has antecedent of more than three cases and petitioner no. 2 has antecedent of more than two cases, it would be presumed that petitioners had concealed their 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 no. 1 has antecedent of only three cases and petitioner no. 2 has antecedent of only two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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