

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37693 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- Tilak Rai Ka Hata District- Buxar

Sudhir Kumar Rai @ Sudhir Rai S/o- Ravindra Rai @ Ravindra Nath Rai
Village- Arjunpur Neyazipur Ps- Ram Das Rai Ka Dera Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-06-2025 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases under the excise act and allegation is of recovery of 688.485 liters of liquor from house of Triloki Pathak.
4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated based on secret information which



is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation.

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. 15,000/- (Rupees Five 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 Tilak Rai Ka Hata P.S. Case No. 47 of 2025 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned Trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases 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 shall not be confirmed, but in the event if it is found that petitioner has antecedent of three cases only in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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