

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49460 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- KHAJEKALA District- Patna

Ravi Kumar @ Ravi Son of Kishan Rai Resident of muhalla -Shish Mahal,
Hamam par, PS -Khajekala District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2025 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act.

4. Allegation is of recovery of 4.200 litres of liquor
from cowshed of Kishan Rai i.e. father of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and cowshed is a place
outside the house and thus is accessible to villagers at large. It is
further submitted that no prudent person would use his own
cowshed for committing an occurrence and thus would create



evidence against himself and hence would get implicated. It is next submitted that once an accused is implicated in a case relating to excise, the police start implicating mechanically.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let 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.5000/- (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 Khajekalan P.S. Case No. 19 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than one case, it would be presumed that petitioner had concealed his 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 has antecedent of only one case in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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