

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76651 of 2025

Arising Out of PS. Case No.-175 Year-2025 Thana- KHAIRA District- Saran

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Anish Kumar Singh @ Anish Singh S/O Ranju Singh @ Ranju Kumar Singh
R/O Village- Terha, P.S- Isuapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-12-2025 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 Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of recovery
of 390.960 litres of liquor from a Scorpio.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted that
petitioner is not the owner of the seized vehicle and came to be
implicated based on the secret information which is the easiest way
to implicate someone. It is next submitted that once an accused is
implicated in a case relating to excise the police start implicating
mechanically without holding a proper investigation of the case.



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, 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.15,000/- (Rupees Fifteen 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 Khaira P.S. Case No. 175 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 petitioner and if it is found that petitioner has antecedent of more than three cases, 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 three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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