

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74970 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- BHAGWAN BAZAR District- Saran

1. Sipahi Ray @ Sipahi Kumar son of Deo Ray Village- Baramahpur New Basti P.S- Bhagwan Bazar District- Saran at Chapra
2. Pappu Ray @ Pappu kumar Son of Deo Ray Village- Baramahpur New Basti P.S- Bhagwan Bazar District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 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 petitioners have antecedent of two cases under the excise act and allegation is of recovery of 600 liters of liquor from a Scorpio vehicle.

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



owner of the seized vehicle and they came to be implicated at the instance of spy 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 proper investigation either at the instance of Chowkidar, local person, confessional statement or secret information.

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. 10,000/- (Rupees Ten 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 Bhagwan Bazar P.S. Case No. 93 of 2025 subject to the conditions as laid down under 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 any of the petitioners have



antecedent of more than two cases then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioners have antecedent of two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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