

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76465 of 2025

Arising Out of PS. Case No.-378 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Sushil Kumar Ray S/o Sahdev Ray R/o Village- Chakhabib, P.S.- Bibhutipur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 457, 468, 471 and 120(B) of the Indian Penal Code as well as under Sections 30(a) and 41(1) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 2691 litres of liquor from a truck but he is not the owner of the seized truck and he came to be implicated based on a call which came on his mobile from a person who is alleged to be a liquor trader but then it is submitted that merely because the petitioner knows the person that in itself cannot be a ground



for implicating the petitioner without holding a proper investigation.

4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Samastipur in connection with Dalsingsarai P.S. Case No.378 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional 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 one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail



order shall not be confirmed, but if on verification, it is found 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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