

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75849 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- Excise P.S. District- Nalanda

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1. Suraj Kumar S/o Shesh Yadav @ Ashok Kumar R/o Village - Malbigha, P.S - Noorsarai, District - Nalanda
 2. Bittu Kumar S/o Mangru Yadav @ Satendra Yadav R/o Village - Malbigha, P.S - Noorsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2025 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 Sections 30(a) and
32 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that
petitioners have antecedent of one case and allegation is of
recovery of 50 liters of liquor from two bags and a motorcycle
was seized.

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 he came to be implicated based on secret information which is the easiest way to implicate someone.

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. 5,000/- (Rupees Five 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 Excise Nalanda P.S. Case No. 163 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 one case 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 one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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