

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75942 of 2025

Arising Out of PS. Case No.-499 Year-2025 Thana- DHAKA District- East Champaran

Bablu Kumar @ Rajbablu Kumar son of Parmanand Sah Resident of village-
Raksha Rahimpur PS- Dhaka District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2025 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of six cases under the Excise Act, as
would manifest from the supplementary affidavit and allegation
is of recovery of 96.6 litres of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the seized motorcycle and he came to be implicated at the
instance of Chowkidar with whom he is on an inimical term. It



is also submitted that it absolutely does not stand to reason that if the Chowkidar was aware about the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation.

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, 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. 30,000/- (Rupees thirty 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 Dhaka P.S. Case No. 499 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 petitioner and in the event if it is found that petitioner has antecedent of more than six



cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of six cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. The supplementary affidavit is taken on record.

(Satyavrat Verma, J)

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