

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81853 of 2025

Arising Out of PS. Case No.-397 Year-2025 Thana- RUNISAIDPUR District- Sitamarhi

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Krishnand Rai @ Krishnandan @ Krishnandan Ray S/o Shri Shivbalak Rai
R/o Village- Rain Bishuni, P.S- Runnisaidpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 81861 of 2025

Arising Out of PS. Case No.-397 Year-2025 Thana- RUNISAIDPUR District- Sitamarhi

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Bittu @ Bittu Kumar @ Bittu Rai S/o Late Bechan Rai R/o Village- Kharka,
P.S- Runnisaidpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 81853 of 2025)

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Ms.Meena Singh

(In CRIMINAL MISCELLANEOUS No. 81861 of 2025)

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-11-2025

CRIMINAL MISCELLANEOUS No.81853 of 2025

1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.



3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1035.780 litres of liquor from three different vehicles.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and is not the owner of any of the seized vehicle and he came to be implicated based on confessional statement of Sanjay Kumar in police custody, which does not have any evidentiary value.

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

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 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.500/- (Rupees Five Hundred) 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 Runnisaidpur P. S. Case No.397 of 2025, subject to the conditions laid down under Section 482(2) of the Cr.P.C.



7. The application stands allowed.

8. 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 even 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

CRIMINAL MISCELLANEOUS No. 81861 of 2025

1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 1035.780 litres of liquor from three different vehicles.

4. The learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and is not the owner of any of the seized vehicle and he came to be implicated based on confessional statement of Sanjay Kumar in police custody, which does not have any evidentiary value.

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

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 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.20,000/- (Rupees Twenty 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 Runnisaidpur P. S. Case No.397 of 2025, subject to the conditions laid down under Section 482(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 four cases, 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 four cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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