

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87293 of 2025**

Arising Out of PS. Case No.-928 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Basant Singh @ Basant Kumar Singh S/O Rajesh Singh R/O Village- Rampur
Kala, PS- Phulwariya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-12-2025 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 Sections 316(2),
318(4), 338, 336(3), 340(1), 340(2) and 3(5) of BNS and
Sections 30(a) and 41(1) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of fourteen cases out of which 12 cases
are under the Excise Act and allegation is of recovery of 186.75
litres of liquor from a Hyundai Car.
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 vehicle and he came to be implicated based on secret information which is the easiest way to implicate someone. 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 either at the instance of Chowkidar, local person, confessional statement or secret information 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. 70,000/- (Rupees Seventy 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 Gopalganj Town P.S. Case No. 928 of 2024, 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 fourteen 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 fourteen cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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