

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87264 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- Badem P.S. District- Aurangabad

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1. Angad Singh S/O Allah Singh R/O Village - Mahuwan, P.S- Badem, Distt.- Aurangabad.
 2. Bhardul Singh S/O Allah Singh R/O Village - Mahuwan, P.S- Badem, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-12-2025 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 Section 30(a) of the Bihar Excise Act.

 3. Learned counsel for the petitioners submits that petitioner No. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of three cases and allegation is of recovery of 76 litres of liquor from the possession of Rajesh and from a sack concealed in a bush.

 4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and even the alleged recovery is from a place which does not belongs to the petitioners and is accessible to villagers at large and petitioners have no concern or relation with Rajesh and they came to be implicated based on confessional statement of Rajesh in police custody which does not have any evidentiary value.

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. 15,000/- (Rupees Fifteen 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 Badem P.S. Case No. 73 of 2025 subject to the conditions as laid down under Section 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 petitioner No. 1 has antecedent of even one case and petitioner no. 2 has antecedent of more than three cases 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 with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner No. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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