

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4830 of 2026

Arising Out of PS. Case No.-1004 Year-2025 Thana- MAHUA District- Vaishali

Satyendra Rai S/o- Raj Ballabh Rai R/v- Diwantok Ps- Ganga Bridge, Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022 as well as Sections 274 and 275 of B.N.S., 2023.

3. Learned counsel for the petitioner submits that petitioner has antecedents of six cases under the Excise Act and allegation is of recovery of 1840 litres of liquor from a pickup vehicle. It is next submitted that 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 at the instance of Bihar Prohibition & Excise Unit, Patna. It is next submitted that once an accused is



implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation. It is further submitted that in similar manner, the petitioner also came to be implicated earlier.

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

5. 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-bond in the sum of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Prohibition and Excise Court (Second)-cum-District & Additional Sessions Judge, Vaishali at Hajipur in connection with Mahua P.S. Case No.1004 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents of more than six 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 antecedents of only six cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.5000/- with High Court Legal Services Committee, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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