

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2859 of 2026

Arising Out of PS. Case No.-501 Year-2025 Thana- Excise P.S. District- Begusarai

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1. Rajendra Tanti S/o Sahdev Tanti Resident of Village- Khamhar, P.S.- Mufassil, District- Begusarai
 2. Suman Kumar S/o Rajendra Tanti Resident of Village- Khamhar, P.S.- Mufassil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-01-2026 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 32(3) and 45 of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 180 litres of liquor from two different motorcycles and a toto vehicle as well as from the cowshed of the petitioners out of which 99 litres of liquor is alleged to have been recovered from the cowshed of the petitioners.
4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession and cowshed is a place outside the house and thus is accessible to villagers at large and it appears that someone inimical to the family concealed meager amount of liquor with a view to implicate the entire family members, when admittedly petitioners are persons with clean antecedent. It is also submitted that police in order to falsely implicate the petitioners has alleged in the FIR that petitioners were caught at the spot and they disclosed their name when petitioners were not even present at the place of occurrence. It is next submitted that it does not probable that petitioners would have escaped had they been caught by the police.

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

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) 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 Begusarai Excise P. S. Case No.501 of 2025, subject to the conditions laid down under Section 438(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 petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

9. At this stage, the learned counsel appearing on behalf of the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.1500/- with Advocates' Association, Patna High Court, Patna.

(Satyavrat Verma, J)

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