

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4103 of 2026

Arising Out of PS. Case No.-734 Year-2025 Thana- MANER District- Patna

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1. Danayia @ Pintu Kumar @ Pintu @ Danayia Kumar @ Dani Kumar S/o Chaneswar Ray R/o Nagatola Goriya Sthan, PS- Maner, Distt- Patna
 2. Upendra Rai @ BPL @ Upendra Singh S/o Ramnarayan Rai R/o Nagatola Goriya Sthan, PS- Maner, Distt- Patna
 3. Murari Kumar @ Krishna Murari Kumar S/o Ramesh Ray R/o Nagatola Goriya Sthan, PS- Maner, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Sri Madan Kumar.

 2. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1 (Danayia @ Pintu Kumar @ Pintu @ Danayia Kumar @ Dani Kumar), who was arrested during pendency of the instant anticipatory bail application.

 3. Permission is accorded.

 4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 1(Danayia @ Pintu Kumar @ Pintu @ Danayia Kumar @ Dani Kumar).



5. The petitioner Nos. 2 and 3 apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

6. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 1189.455 litres of liquor from a place behind a brick kiln.

7. 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 brick kiln which does not belong to the petitioners and they came to be implicated at the instance of Chowkidar but then it is submitted that if the Chowkidar was aware about the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution, when petitioners admittedly are persons with clean antecedent.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 2 and 3 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. 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 Maner P.S. Case No. 734 of 2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

10. 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 petitioners have antecedent of even one case 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 petitioners are person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

11. At this stage, the learned counsel for the petitioners based on instruction submits that petitioners undertake to



deposit an amount of Rs. 1,500/- with Advocates’ Association,
Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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