

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7480 of 2026

Arising Out of PS. Case No.-403 Year-2025 Thana- RIVILGANJ District- Saran

1. Dhuran Singh @ Dhurandhar Prasad Singh @ Dhurendra Prasad Singh S/o Late Ramji Singh R/o vill - Nayka Barka Baiju Tola, P.S.- Rivilganj, Distt.- Saran at Chapra
2. Manoj Singh @ Manoj Kumar Singh S/o Birendra Singh @ Virendra Singh R/o vill - Nayka Barka Baiju Tola, P.S.- Rivilganj, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-02-2026 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 has antecedent of 10 cases out of which six cases are under the excise act and petitioner no. 2 has antecedent of two cases under the excise act and allegation is of recovery of 224.64 liters of liquor from straw house of the petitioner no. 1 and 1635.084 liters of liquor from a place near the office of Bihar State Road Construction Department.



4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and straw house is a place outside the house and thus is accessible to public at large. It is next submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that liquor was recovered from a place adjacent to the straw house of the petitioners, but then petitioners came to be implicated as recovery was shown from the straw house of petitioner no. 1. It is next submitted that petitioners have no concern with alleged recovery of liquor and they came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically 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 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. 50,000/- (Rupees Fifty 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 Rivilganj P.S. Case No. 403 of 2025 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 petitioners and in the event if it is found that petitioner no. 1 has antecedent of more than ten cases and petitioner no. 2 has antecedent of more than two 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, but after verification if it is found that petitioner no. 1 has antecedent of ten cases only and petitioner no. 2 has antecedent of two cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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