

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5142 of 2026

Arising Out of PS. Case No.-170 Year-2025 Thana- EXCISE KATORIYA District- Banka

Raj Kishor Rai Son of Lt. Satyanand Ray Resident Of Mohalla - AAdarsh
Nagar, Biscuit factory Road, P.S. - Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30(a) and
32(3) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 888 litres of liquor from a Tata Magic vehicle. It is
next submitted that petitioner was not arrested from the spot as
such nothing was recovered from his conscious possession and
he came to be implicated based on the fact that he is owner of
the seized vehicle. It is next submitted that no prudent person
would use his own vehicle for committing an occurrence and
thus would create evidence against himself and hence would get



implicated. It is also submitted that the petitioner was completely unaware that Chandan would misuse his vehicle in the manner as alleged who was also apprehended from the spot along with Srikant.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Katoriya Excise P.S. Case No.170/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found that petitioner is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.1500/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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