

Arising Out of PS. Case No.-223 Year-2025 Thana- TAJPUR District- Samastipur

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Ms.Sangeeta Sharma

2 04-02-2026 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 offences punishable under Sections 30(a) and 41(I)(II) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of five cases under the Excise Act and allegation is of recovery of 2205 litres of liquor from a DCM truck.

4. Learned counsel for the petitioner submits that the 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 based on secret



information which is the easiest way to implicate someone. It is further 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. It is also submitted that earlier also the petitioner came to be implicated in similar manner.

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

6. 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 trial court within a period of six weeks from today, be released on Provisional anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) 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 Tajpur P.S. Case No. 223 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 petitioner and in the event if it is found that petitioner has antecedent of more than five cases then it would be presumed that petitioner, for the purposes of



seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of five cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs. 10,000/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sumit/-

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