

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6293 of 2026

Arising Out of PS. Case No.-79 Year-2025 Thana- RAIL PS JAYNAGAR District-
Madhubani

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Chandan Kumar Ray son of Harakhu Ray Resident of Village- Baluatola,
Belhi, P.S- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 43.2 litres of liquor from a Scooty.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner 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 petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged who also fled from the spot.

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, let 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.5,000/- (Rupees 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 Jaynagar Rail P.S. Case No. 79 of 2025 corresponding to G.R. No. 1683 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./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 if it is found that petitioner has antecedent of more than one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail



application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.2,500/- with the Advocate Association of the Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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