

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9306 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- BAKHARI District- Begusarai

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1. Pawan Verma @ Pawan Kumar S/o Siyaram Verma @ Siyaram Mahto
Resident of Village- Bagwan, P.S.- Bakhri, Dist.- Begusarai
 2. Rinkesh Kumar S/o Pawan Verma @ Pawan Kumar Resident of Village-
Bagwan, P.S.- Bakhri, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-03-2026 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 30(a)(c)(d), 32, 33 and 41 of the Excise Act.

3. The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 9.9 litres of liquor from a chilly field
near hut of the petitioners, 02 litres of liquor medicine along
with 25 litres of spirit along with other articles including empty
bottles and a motorcycle were seized.

4. The learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place, which does not belong to the petitioner, but then, is adjacent to their house and they came to be implicated based on disclosure made by Chaukidar, but then, it is submitted that if Chaukidar was aware of the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which casts an aspersion on the case of the prosecution, when admittedly petitioners are persons with clean antecedent. It is also submitted that wife of petitioner no.1 was arrested and she was made to confess the name of the petitioners in police custody, which does not have any evidentiary value.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum 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 Bakhri P. S. Case No.02 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners 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 obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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