

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10350 of 2026

Arising Out of PS. Case No.-6 Year-2026 Thana- RAMGARH District- Kaimur (Bhabua)

Amarnath Ram S/o Late Shiv Chand Ram @ Shiv Bachan Ram Resident of
Village- Gorasara, P.S.- Ramgarh, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-03-2026 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 Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of five cases under the Excise Act and allegation is of recovery of 6.8 litres of liquor from house of the petitioner. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and the house in question is a joint family property as such it cannot be alleged with certainty that it was petitioner, who had kept the liquor in the house or the liquor kept in the house was within his knowledge and he came to be implicated



based on confessional statement of his wife in police custody which does not have any evidentiary value. It is next submitted that petitioner was earlier implicated in cases relating to excise in similar manner as such police made his wife to confess the name of the petitioner. It is reiterated and submitted that confessional statement in police custody which does not have any evidentiary value.

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 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 Ramgarh P.S. Case No.06/2026, 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 more than



five cases, 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 has antecedent of five cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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