

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13761 of 2026**

Arising Out of PS. Case No.-174 Year-2024 Thana- NARPATGANJ District- Araria

Ramanand Uraon S/o Late Mahadev Uraon Resident of Village- Belsandi,  
Ward No. 14, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      12-03-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner apprehends his arrest in a case registered  
for the offences punishable under Sections 30(a) and 37(c) of  
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case under the Excise Act and  
allegation is of recovery of 20 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 after amendment in



the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away with and he came to be implicated based on secret information which is the easiest way to implicate someone. It is next 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.

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

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Araria in connection with Narpatganj P.S. Case No.174 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after



accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his 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 petitioner has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

*Sanjay/-*

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