

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14433 of 2026

Arising Out of PS. Case No.-201 Year-2025 Thana- ARERAJ District- East Champaran

Ramesh Ram @ Ramesh Kumar Ram S/O Late Lalan Ram R/O Vill.- Nat
Toli Barwa, Ward No.- 11, P.S. - Areraj, District- East Champaran, Motihari
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2026 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 offences punishable under Sections 274 and
275 of the BNS as well as Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases out of which two cases
are under the Excise and allegation is of recovery of 11.72 litres
of liquor from a bush in front of the house of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner
and but then is adjacent to his house and he came to be



implicated based on the 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 start implicating mechanically either at the instance of the Chawkidar, local person, secret information or confessional statement without holding a proper investigation of the case.

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 within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen 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 Areraj P.S. Case No. 201 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

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 three cases, 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 three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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