

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15648 of 2026

Arising Out of PS. Case No.-760 Year-2025 Thana- CHAPRA TOWN District- Saran

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Bablu Shrivastava @ Amitabh Shrivastava Son of Shyam Sundar Prasad @
Shyam Sunder Shrivastava Resident of Village- Roopganj Mathiya, P.S.-
Nagar/ Town (Chapra Town), District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases out of which two cases
are under the Excise Act and allegation is of recovery of 15
liters of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and is not the
owner of the seized motorcycle and he came to be implicated at



the instance of local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information. It is also 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.

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, 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. 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 Chapra Town P.S. Case No. 760 of 2025 subject to the conditions as laid down under Section 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 in the event if it is found that petitioner has antecedent of more than three cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of three cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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