

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15982 of 2026

Arising Out of PS. Case No.-358 Year-2025 Thana- DORIGANJ District- Saran

-
1. Mukurdhan Nut S/o Lullha Nut R/o Village - Musepur Nut Toli, P.S - Doriganj, District - Saran at Chapra
 2. Soni Devi W/o Ghathu Nut R/o Village - Musepur Nut Toli, P.S - Doriganj, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of four cases under the Excise Act and petitioner no.2 has antecedent of two cases under the Excise Act and is a woman and allegation is of recovery of 102 litres of liquor along with 100 litres of semi fermented liquor from a place near a pond. It is next submitted 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 petitioners but then is accessible to villagers at large and they came to be implicated at the instance of local people. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) 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 Doriganj P.S. Case No.358/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners



and in the event if it is found that petitioner no.1 has antecedent of more than four cases and petitioner no.2 has antecedent of more than two cases, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

