

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17743 of 2026

Arising Out of PS. Case No.-528 Year-2025 Thana- LALGANJ District- Vaishali

1. Rajeev Kumar @ Rajeev Rai Son of Prem Rai Resident of village - Khanjahachak, P.S.- Lalganj, District - Vaishali.
2. Ranjan Paswan @ Ranjan Kumar Son of Munnilal Paswan @ Munni Paswan Resident of village - Khajauli urf Aurangabad, P.S.- Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh
For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2, namely, Ranjan Paswan @ Ranjan Kumar, as petitioner no.2, during pendency of the anticipatory bail application, was arrested.
3. Permission is accorded.
4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2, namely, Ranjan Paswan @ Ranjan Kumar.



5. The petitioner no.1 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

6. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases out of which one case is under the Excise Act and allegation is of recovery of 140 litres of liquor from diyara area along with 20000 litres of raw jawa which was destroyed at the spot.

7. The 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 alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution, when petitioner has not been based on secret information. It is also submitted that it is seen that in majority of the cases the police is implicating accused in cases relating to excise at the instance of Chaukidar or local person without holding a



proper investigation.

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

9. Considering the submissions made by the learned counsel for the petitioner, the **petitioner no.1**, 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-bonds in the sum of Rs.10,000/- (Rupees Ten 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 Lalganj P. S. Case No.528 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

11. It is made clear that the learned trial Court after accepting the provisional bail bonds 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 two cases, 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 two cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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