

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17840 of 2026

Arising Out of PS. Case No.-125 Year-2025 Thana- KARJAIN District- Supaul

1. Raman Sharma @ Raman Kumar Son of Nunulal Sharma Resident of village - Sitapur, Ward No. 01, Police Station - Karjain, District - Supaul
2. Shambhu Sharma @ Shambhu Mehta S/O Laxman Mehta @ Lakshman Mehta Resident of village - Sitapur, Ward No. 01, Police Station - Karjain, District - Supaul
3. Dhiraj Mehta @ Dhiraj Kumar S/O Narayan Mehta Resident of village - Sitapur, Ward No. 01, Police Station - Karjain, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2026 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 offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners no. 1 and 2 have antecedent of one case under the Excise Act and petitioner no. 3 has antecedent of three cases under the Excise Act and allegation is of recovery of 270 litres of liquor from a Tata Safari.

4. Learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is further submitted that petitioners are not the owner of the seized vehicle and came to be implicated at the instance of the Chawkidar with whom they are on an inimical term. It is next submitted that if the Chawkidar was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution. It is also 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. It is lastly submitted that earlier also petitioners came to be implicated in cases relating to excise in a similar manner.

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

6. Considering the submissions made by the learned counsel for the petitioners, let 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.15,000/- (Rupees Fifteen



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 S.T. Excise Case No. 2951 of 2025 arising out of Karjain P.S. Case No. 125 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 petitioners and if it is found that petitioners no. 1 and 2 have antecedent of more than one case and petitioner no. 3 has antecedent of more than three cases, it would be presumed that petitioners had concealed their 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 petitioners no. 1 and 2 have antecedent of only one case and petitioner no. 3 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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