

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18826 of 2026**

Arising Out of PS. Case No.-31 Year-2026 Thana- CHAPRA TOWN District- Saran

1. Guddu Kumar S/o Channa Mahto Resident of Village - Rupganj, Adda No. 02, P.S. - Town, District - Saran
2. Siddu Kumar @ Sidhu Kumar @ Sudu Kumar S/o Channa Mahto Resident of Village - Rupganj, Adda No. 02, P.S. - Town, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      25-03-2026                      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 Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case under the Excise Act and allegation is of recovery of 60 liters of liquor from a place near a water tank.

4. Learned counsel for the petitioners submits that petitioners were not apprehended 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 and they came to be implicated based on secret information which is the easiest way to implicate someone. 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 petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 5,000/- (Rupees Five 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 Town P.S. Case No. 31 of 2026 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 petitioners and in the event if it is found that any of the petitioners has antecedent of



more than one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioners have antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

Rishabh/-

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