

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18824 of 2026

Arising Out of PS. Case No.-572 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Bablu Ray @ Bablu Kumar Son of Late Lalu Rai Resident of village - Sarha,
Ps- Muffasil, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2026 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 Sections 274, 275 and 111 of the BNS, 2023 read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of five cases out of which four cases are under the Excise Act and allegation is of recovery of 1220 liters of liquor from a kiln belonging to four different persons out of which 340 liters of liquor is alleged to have been recovered from the kiln of petitioner along with 6000 liters of Mahua jaggery solution which was destroyed.

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 even alleged recovery is from a place which does not belong to the petitioner and he came to be implicated based on confessional statement of Vijay in police custody which does not have any evidentiary value. 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. 25,000/- (Rupees Twenty Five 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 Muffasil P.S. Case No. 572 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 five 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 five cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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