

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21213 of 2026

Arising Out of PS. Case No.-15 Year-2026 Thana- RAJEPUR District- East Champaran

=====

Anil Yadav @ Anil Ray Son of Late Umashankar Ray Resident of Village -
Naraha, P.S. - Rajepur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2026 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases under the Excise Act and
allegation is of recovery of 273.15 litres of liquor from a Pick-
UP and Hyundai Car.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is not the owner of any of the seized vehicles and
came to be implicated at the instance of the local person but
then the name of the person who disclosed the name of the



petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution. It is next submitted that one Sunil was apprehended with whom petitioner has no concern or relation but then Sunil was made to confess the name of the petitioner in police custody. 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, confessional statement or secret information without holding a proper investigation of the case.

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, let the petitioner, above-named, in the event of his 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) 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 Rajepur P.S. Case No. 15 of 2026, 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. However, it is made clear that thereafter the learned



Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than three cases, it would be presumed that petitioner had concealed his 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 petitioner has antecedent of only three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Kundan/-

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

