

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23806 of 2026

Arising Out of PS. Case No.-739 Year-2024 Thana- MANER District- Patna

Saheb Ray S/o Navab Ray Resident of Village- Amanabad, Katesar, P.S.-
Bihta, District- Patna, Pin Code- 801103, Bihar (Owner of the seized vehicle
bearing registration number as BR-01GC-4217)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Danish Sami, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-04-2026 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 (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 72.75 litres of liquor from an auto.
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 came to be implicated based on the fact that he is
owner of the seized vehicle. It is next submitted that no prudent



person would use his own vehicle for committing an occurrence and, thus, would create evidence against himself and, hence, would get implicated. It is also submitted that petitioner was completely unaware that his driver to whom he had given the auto on monthly basis would misuse the vehicle in the manner as alleged who also fled from the spot.

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 appearing on behalf of 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.500/- (Rupees Five Hundred) 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 Maner P.S. Case No. 739 of 2024, 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 even one case, 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 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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