

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26333 of 2026

Arising Out of PS. Case No.-335 Year-2025 Thana- RAGHOPUR District- Vaishali

Umal Ray S/o Late Shivnandan Rai @ Shinandan Rai R/o vill - Mallikpur,
P.S.- Raghobpur/Rustampur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 274 and 275 of the B.N.S. and Sections 30(a) of the
Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases under the Excise Act
and allegation is of recovery of 180 litres of liquor from cattle-
shed of petitioner and 21 litres of liquor from hut of Dinesh Rai.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and cattleshed is a
place outside the house and is accessible to public at large. It is



next submitted that no prudent person would use his own premises for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is also submitted that it appears someone inimical to the family concealed the liquor in the cattleshed of the petitioner with an intent to implicate the entire family members and the petitioner came to be implicated based on secret information, which is the easiest way to implicate someone without holding a proper investigation, more so when an accused has antecedent under the Excise Act.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten 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 Raghopur P. S. Case No.335 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than two cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of two cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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