

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25121 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- BANGARA District- Samastipur

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Ramakant Kumar S/o Hari Narayan Singh Son of Hari Narayan Singh,
Resident of Village - Muradpur Bangra, Police Station - National Highway
Bengra, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 36 litres of liquor from a sack.

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 even alleged
recovery is from a place, which does not belong to the petitioner
and he came to be implicated at the instance of local person, but



the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

Learned A.P.P. Sri Rabindra Kumar opposes the anticipatory bail application.

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.5,000/- (Rupees 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 National Highway Bangra P. S. Case No.25 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.



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 one case, 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 one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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