

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25805 of 2026**

Arising Out of PS. Case No.-140 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Manager Rai son of Anarshi Ray Resident of Village- Sandha PS- Chapra  
Muffasil District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      22-04-2026                      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 has antecedent of six cases and allegation is of  
recovery of 200 litres of liquor from a plastic sack at Sadha  
Chaur.

4. 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 the alleged  
recovery is from a place which does not belong to the petitioner  
and is accessible to villagers at large. It is further submitted that  
petitioner came to be implicated at the instance of the



Chawkidar with whom he is on an inimical term. It is next 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. It is also submitted that petitioner in similar manner earlier also came to be implicated in cases relating to excise.

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.30,000/- (Rupees Thirty 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 Mufassil P.S. Case No. 140 of 2025, 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 six



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 six cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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