

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30729 of 2026

Arising Out of PS. Case No.-140 Year-2025 Thana- BHAIKAVSHTHAN District-
Madhubani

=====

Lal Babu @ Lal Babu Ray Son of Uday Roy @ Uday Ray @ Udhawa Ray
R/o Village - Siswar, P.S.- Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha
For the Opposite Party/s : Mr. Rajesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2026 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 Sections 274, 275 and 3(5) of the BNS and Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 439.200 litres of liquor from two different vehicles. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of any of the seized vehicle and he came to be implicated based on secret



information which is the easiest way to implicate someone. It is also submitted that Ravi was apprehended but then he did not disclose the name of the petitioner. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, 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.5000/- (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 Bhairavsthan P.S. Case No.140/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than



one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

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

