

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28182 of 2026

Arising Out of PS. Case No.-756 Year-2025 Thana- SAHEBGANJ District- Muzaffarpur

Rahul Kumar S/O Rajkishor Ray @ Braj Kishor Ray R/O Vill.- Chainpura,
P.S.- Deoria, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32(1), 32(2), 36, 41(1) and 41(2) of Bihar Prohibition and Excise (Amendment) Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case under the Excise Act, as would manifest from the supplementary affidavit and allegation is of recovery of 2697.690 litres of liquor from a truck.

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 is not the owner of the seized vehicle and he came to be implicated based on secret



information which is the easiest way to implicate someone, without holding a proper investigation.

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 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.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 Sahebganj P.S. Case No.756 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. 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)

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