

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28301 of 2026

Arising Out of PS. Case No.-182 Year-2026 Thana- MADHAURAH District- Saran

Sanjay Nut @ Sanjay Nat S/o Krishna Nut R/o Village - Pakahan Nut Toli,
P.S - Marhowrah, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-04-2026 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 offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that inadvertently at Para-3 it has been pleaded that petitioner has antecedent of five cases when he has antecedent of six cases under the Excise Act, thus, seeks permission to make the said rectification at Para-3 of the anticipatory bail application.
4. Permission is accorded.
5. It is next submitted that allegation is of recovery of 105 liters of liquor from village Pakahan Nut Toli.
6. Learned counsel for the petitioner submits that



petitioner was not apprehended 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 is accessible to villagers at large and he came to be implicated at the instance of Chowkidar, but then it is submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

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

8. 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 Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 30000/- (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 Marhowrah P.S. Case No. 182 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. It is made clear that thereafter the learned Trial



Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than six cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of six cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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