

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29817 of 2026

Arising Out of PS. Case No.-69 Year-2026 Thana- Bikramganj Excise District- Rohtas

Rajesh Kumar Patel @ Rajesh Kumar @ Rajesh Patel S/O Ram Narayan
Chaudhary Resident of Village- Belahan, P.S.- Dinara, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2026 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 Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 1.800 litres of liquor from a
motorcycle and 61.410 litres of liquor from a Mahindra XUV
500. It is next submitted that petitioner was not arrested from
the spot as such nothing was recovered from his conscious
possession and he came to be implicated based on the fact that
he is owner of the seized vehicle. It is next submitted that no
prudent person would use his own vehicle for committing an



occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Rishi would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Niranjana and Anup.

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.10,000/- (Rupees ten 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 Excise Case No.730/2026 read with Bikramganj Excise P.S. Case No.69/2026, 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 two cases, 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 two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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