

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32048 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- TARARI District- Bhojpur

1. Ankush Kumar S/o Late Sunil Ram R/o Village - Sedahan, P.S - Tarari, District - Bhojpur at Ara
2. Rishu Kumar S/o Late Sunil Ram R/o Village - Sedahan, P.S - Tarari, District - Bhojpur at Ara
3. Raushan Kumar @ Azad @ Azad Chandravanshi S/o Late Sunil Ram R/o Village - Sedahan, P.S - Tarari, District - Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) and 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 53.750 litres of liquor from ice cream factory of petitioner no. 3.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession. It is further submitted that no prudent person would use his own factory premises for committing an occurrence and, thus, would create evidence against himself and, hence, would get implicated. It is next submitted that petitioners were completely unaware that their employee had concealed the liquor within the factory premises without the knowledge of the petitioners. It is also submitted that no prudent businessman would bring disrepute to his business by indulging in act which is against the law and they came to be implicated based on the secret information which is the easiest way to implicate someone without holding a proper investigation of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) each 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



Tarari P.S. Case No. 12 of 2026, 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 petitioners and if it is found that petitioners have antecedent of even one case, it would be presumed that petitioners had concealed their 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 petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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