

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32044 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- PIPRAKOTHI District- East Champaran

1. Ranjay Ray @ Ranjay Kumar S/o Ram Prawesh Yadav @ Ram Prawesh Ray Resident of village - Kishunpur, ward no. 5, P.S.- Piprakothi, Distt.- East Champaran
2. Sanjay Ray @ Sanjay Kumar S/o Ram Prawesh Yadav @ Ram Prawesh Ray Resident of village - Kishunpur, ward no. 5, P.S.- Piprakothi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Shyam Bihari Singh

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 Sections 274, 275, 110, 123 of BNS and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of three cases out of which two cases are under the Excise Act and petitioner no. 2 has antecedent of two cases out of which one case is under the Excise Act and allegation is of recovery of 26 litres of spirit from the house of the petitioners and one motorcycle, one scooty and Rs. 6,59,485/- were also seized from the house of the



petitioners.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of the seized vehicles and the house in question is a joint family property as such it cannot be alleged with certainty that it were petitioners who had kept the liquor in the house or the liquor kept in the house was within knowledge of the petitioners and they came to be implicated at the instance of local people, but then the name of the person, who disclosed the name of the petitioners, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioners have not been implicated based on secret information. It is further 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.

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 for the petitioners, 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. 15,000/- (Rupees Fifteen Thousand) 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 Piprakothi P.S. Case No. 114 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has antecedent of more than three cases and petitioner no. 2 has antecedent of more than two cases then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 has antecedent of three cases and petitioner no. 2 has antecedent of two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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