

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38373 of 2026

Arising Out of PS. Case No.-657 Year-2022 Thana- Excise P.S. District- Saran

-
1. Rakesh Singh @ Rakesh Kumar Singh Sarish Singh R/o Village - Baiju Tola, P.S. - Revilganj, District - Saran.
 2. Nilesh Kumar Singh @ Niku Singh @ Nicku Kumar Singh S/o Satish Singh R/o Village - Baiju Tola, P.S. - Revilganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2026 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) of the Bihar Excise Act.

 3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 410.040 litres of liquor from a place near the dam at Baiju Tola.

 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 even the alleged



recovery is from a place which does not belong to the petitioners and is accessible to public at large 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.

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. 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 Excise Sadar P.S. Case No. 657 of 2022, 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 petitioners have antecedent of even one case 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 petitioners are person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

