

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41135 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- TISIAUTA District- Vaishali

Abhinandan Kumar Ray @ Abhinandan Kumar S/O Virendra Ray @ Birendra Ray @ Binda Ray R/O Village Harpur @ Husenipur, P.S.- Tisiauta, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2026 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 18 litres of liquor from cowshed of the petitioner.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and cowshed is a place outside the house and is accessible to public at large. It is next



submitted that no prudent person would use his own cowshed for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is next submitted that it appears that someone inimical to the family concealed the meager amount of liquor in the cowshed with an intent to implicate the family members and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term.

5. Learned A.P.P. opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five 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 Tisiauta P. S. Case No.30 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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