

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45434 of 2026

Arising Out of PS. Case No.-52 Year-2026 Thana- GADHPURA District- Begusarai

RAM BABU @ RAMBABU MAHTO Son of Jay Kishan Prasad Resident of
Ward No. 04, Vill.- Goha, Mauzi, P.S.- Hasanpur, Dist.- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2026 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 Sections 30(a), 32(2)
of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases under the Excise Act and
allegation is of recovery of 144.195 litres of liquor from three
different vehicles and a sack. 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 one of the seized vehicle
i.e. motorcycle. 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 Dheeraj would misuse his vehicle in the manner as alleged, who was also apprehended from the spot.

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.15,000/- (Rupees Fifteen 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 Garhpura P.S. Case No.52/2026, 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 three 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 three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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