

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45489 of 2026**

Arising Out of PS. Case No.-68 Year-2026 Thana- PIPRAKOTHI District- East Champaran

1. Sandeep Kumar S/o Lalan Mahto R/o Village - Mathiya Bariyarpur, PS - Piprakothi, District - East Champaran
2. Deepak Kumar S/o Bharat Mahto R/o Village - Mathiya Bariyarpur, PS - Piprakothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shanti Bhushan Singh

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-07-2026                      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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of two cases and petitioner no.2 has antecedent of three cases under the Excise Act and allegation is of recovery of 110 litres of liquor from house of Dharmendra.

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



conscious possession and even alleged recovery is from a place which does not belong to the petitioners and petitioners have no concern or relation with Dharmendra and they came to be implicated at the instance of chowkidar and local people but then if chowkidar and local person were aware of the involvement of the petitioners in the occurrence then why they did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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.68 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners



and in the event if it is found that petitioner no.1 has antecedent of more than two cases and petitioner no.2 has antecedent of more than three cases, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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