

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51014 of 2026

Arising Out of PS. Case No.-110 Year-2026 Thana- TAJPUR District- Samastipur

Raju Yadav @ Raju Rai @ Raju Kumar S/o Devendra Yadav @ Devendra Rai
R/o Village - Naua Chak Bhagwatpur, P.S. - Sarairanjan(wrongly mentioned
Vill. - Umedpur and P.S. Tajpur in impugn order as well as F.I.R., Dist. -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2026 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 offences punishable under Sections 30(a),
41(1) and 41(2) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of 17 cases out of which 15 case are
under the Excise Act, it is next submitted that at para-3 it has
been pleaded that petitioner has antecedent of 16 cases but then
on 21-7-2026 one more case, i.e., Waini PS Case No. 94 of 2026
dated 21-7-2026 was instituted. It is further submitted that
allegation is of recovery of 1656 litres of liquor from a truck and
468 litres of liquor from a Scorpio.



4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of any of the seized vehicles and he came to be implicated based on secret information which is the easiest way to implicate someone. 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. It is also submitted that petitioner earlier also in similar manner came to be implicated in cases relating to Excise.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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. 85,000/- (Rupees Eighty-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 Tajpur P.S. Case No.



110 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 petitioner and in the event if it is found that 17th case was instituted prior to 21-7-2026 or petitioner has antecedent of more than seventeen cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of seventeen cases and 17th case was instituted on 21-7-2026, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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