

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50774 of 2026

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

Dheeraj Kumar @ Dheeraj Yadav S/o Jeewachh Ray R/o Village - Dorapar
Chandauli, P.S.- Waini, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar 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 23-07-2026 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(i) and 41(ii) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of 14 cases out of which 13 cases are
under the Excise Act. It is next submitted that one case was
instituted against the petitioner on 21-7-2026, as such the
petitioner has antecedent of 15 cases and allegation is of
recovery of 1656 litres of liquor from a truck and 468 litres of
liquor from a Scorpio vehicle.

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 vehicle and he came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation. 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 before the learned trial court within a period of six weeks from today, be released on Provisional anticipatory bail on furnishing bail bonds of Rs. 75,000/- (Rupees Seventy-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 15th case was instituted prior to 21-7-2026 or petitioner has antecedent of more than fifteen 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 fifteen cases and 15th 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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