

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65354 of 2025

Arising Out of PS. Case No.-560 Year-2024 Thana- NOORSARAI District- Nalanda

1. Ranjeet Yadav @ Ranjeet Kumar S/O Surendra Yadav R/O Vill.- Malbigha, P.S.- Noorsarai, Dist.- Nalanda
2. Madhusudan Yadav @ Masudan Kumar S/O Surendra Yadav R/O Vill.- Malbigha, P.S.- Noorsarai, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-01-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 30(c) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of four cases out of which three cases are under the Excise Act and petitioner no.2 has antecedent of eight cases out of which seven cases are under the Excise Act and the allegation is of recovery of 120 litres of liquor from North side of Khanda, 75 litres of liquor from Dalan of Soni Devi and 80 litres of liquor from possession of



Dharampal Yadav.

4. The learned counsel for the petitioners 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 they came to be implicated at the instance of Chaukidar, but then, it is submitted that if Chaukidar was aware of the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which casts an aspersion on the case of the prosecution. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 40,000/- (Rupees Forty 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 Noorsarai P. S. Case No.560 of 2024, 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 petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of more than four cases and petitioner no.2 has antecedent of more than eight cases, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 no.1 has antecedent of more than four cases only and petitioner no.2 has antecedent of more than eight cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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