

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75098 of 2025

Arising Out of PS. Case No.-275 Year-2025 Thana- SAHEBGANJ District- Muzaffarpur

1. Parvjit Rai @ Parvjit Kumar S/o Awadh Kishore Rai R/o Village-Phaijulapur, P.S.- Baikunthpur, District- Gopalganj
2. Srikant Singh @ Painter @ Pintu @ Shrikant Kumar S/o Satrudhan Singh R/o Village- Satjora, P.S.- Panapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachina

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 31-01-2026 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 offences punishable under Section 30(a) of the Bihar Excise Act and Section 3 of Prevention of Damage to Public Property Act 1984.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of four cases out of which two cases are under the Excise Act and allegation is of recovery of 345.60 litres of liquor from a car.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and petitioner no. 1



came to be implicated based on the fact that he is owner of the seized vehicle. 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 further submitted that petitioners were completely unaware that Akash would misuse the vehicle in the manner as alleged, who was also apprehended from the spot. 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.

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 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. 20,000/- (Rupees Twenty 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



Sahebganj P.S. Case No. 275 of 2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has antecedent of even one case and petitioner no. 2 has antecedent of more than four cases then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of four cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, the learned counsel for the petitioners based on instruction submits that petitioners undertake to deposit an amount of Rs. 5,000/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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