

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72341 of 2025**

Arising Out of PS. Case No.-296 Year-2024 Thana- Excise Thana Hajipur District- Vaishali

Sumangal Kumar Rai @ Sumangal Rai Son of Ramji Rai R/o Vill. - Manpura,  
P.S. - Mahua, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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

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

2. Petitioner apprehends his arrest in a case registered  
for the offence punishable under Section 30(a) of Bihar  
Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner has antecedents of eleven cases as would manifest  
from supplementary affidavit and allegation is of recovery of  
954 litres of liquor from a pickup vehicle. It is next submitted  
that petitioner was not arrested from the spot, as such, nothing  
was recovered from his conscious possession and is not the  
owner of the seized vehicle 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 in similar manner, the petitioner was earlier also implicated in cases relating to excise.

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

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.55,000/- (Rupees Fifty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-02-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Excise P.S. Case No.296 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents of more than eleven cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his 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 has antecedents of only eleven cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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