IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76043 of 2026

CNR No. BRHC011081442026

Arising Out of PS. Case No.-360 Year-2026 Thana- Excise P.S. District- Supaul

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Priye Kumar @ Priye Kumar Singh Son of Durga Prasad Singh @ Vimal Kishor Singh Resident of Village- Kharail Punarwas, Ward No.16, P.S. and District- Supaul

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pratibha Srivastava
For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 29-10-2026 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 offence punishable under Sections 30(A), 32(3) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of eight cases, out of which, seven cases are under the Excise act and allegation is of recovery of 252.270 litres of liquor from godown of petitioner next to a shop.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was

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recovered from his conscious possession. It is also submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and at the same time shall bring disrepute to his business. It is also submitted that petitioner earlier also in similar manner came to be implicated in cases relating to excise. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through 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 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.40,000/- (Rupees Forty 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 Supaul P.S. Case No.360 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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7. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than eight cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of eight cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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