

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83445 of 2025

Arising Out of PS. Case No.-198 Year-2025 Thana- PRANPUR District- Katihar

-
1. Anish Ray S/o Sikandar Prasad @ Sikandar Prasad Ray R/o - Kheria, P.S-
Korha, District - Katihar
 2. Mannu Kumar S/o Murari Das Ray R/o Lalbag Kuariipur, P.S - Manihari,
District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that
petitioners have antecedents of three cases under the Excise Act
and allegation is of recovery of 559.200 litres of liquor from a
Bolero pickup vehicle. It is next submitted that petitioners were
not arrested from the spot, as such, nothing was recovered from
their conscious possession and are not the owner of the seized
vehicle and they came to be implicated based on confessional



statement of the apprehended accused in police custody, which does not have any evidentiary value. It is also 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.

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

5. 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, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Katihar in connection with Pranpur P.S. Case No.198 of 2025, 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 petitioners shall verify the criminal antecedent of the petitioners and in the event,



if it is found that petitioners have antecedents of more than three 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 petitioners have antecedents of only three cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

