

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87155 of 2025

Arising Out of PS. Case No.-304 Year-2025 Thana- SUPPI District- Sitamarhi

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Dharmendra Ray S/o Shrikant Ray R/o Village- Pakri Kothi, Pakri Parsa,
Ward No.6, P.S- Suppi, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dwij Raj

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-01-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The learned counsel for the petitioner submits that
the defects as pointed out by the office stands removed as the
criminal antecedent have been brought on record.
3. IN view of the submissions made by the learned
counsel appearing on behalf of the petitioner, the defects as
pointed out by the office is hereby ignored.
4. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 317(5) of the B.N.S. and Section 30(a) of the Excise
Act.
5. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases and allegation is of



recovery of 28.4 litres of liquor out of which 17.4 litres of liquor is alleged to have been recovered from Subodh.

6. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of Subodh in police custody, which does not have any evidentiary value. 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.

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

8. 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-bonds in the sum of Rs.20,000/- (Rupees Twenty 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 Suppi P. S. Case No.304 of 2025, subject to the



conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

10. 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 antecedent of more than four 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 antecedent of four cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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