

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91003 of 2025

Arising Out of PS. Case No.-860 Year-2025 Thana- SONEPUR District- Saran

Saral Rai @ Ranjit Kumar Ray @ Ranjit Ray S/O Rambadan Rai @ Ram
Badan Rai Resident of Village- Baburbani, P.S.- Sonpur, District- Saran At
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-01-2026 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 three cases out of which two cases
are under the Excise Act and allegation is of recovery of 120
litres of liquor from a place near bank of Ganga river. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and even
alleged recovery is from a place which does not belong to the
petitioner and is accessible to villagers at large and he came to



be implicated at the instance of Chowkidar but then it is 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 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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-2nd, Saran at Chapra in connection with Sonpur P.S. Case No.860 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 bond 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 three 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 three cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.2500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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