

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1357 of 2026**

Arising Out of PS. Case No.-281 Year-2024 Thana- BHAGWAN BAZAR District- Saran

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Tuna Kr. Ram @ Tuna Ram @ Tunna Kumar Ram @ Tunna Ram @ Tuna  
Rai S/O Dindyal Ram @ Din Dayal Ram Resident of Village - Naviganj,  
Harijan Toli, P.S. - Bhagwan Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

2      21-01-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner apprehends his arrest in a case registered  
for the offences punishable under Sections 30(a) and 37 of Bihar  
Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 40 litres of liquor from Naviganj Harijan Toli. 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 he came to be implicated based on  
confessional statement of apprehended accused in police



custody, which does not have any evidentiary value.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Additional Special Judge-cum-Exclusive Special Court Excise Act-I, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.281 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 bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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