

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.129 of 2026**

Arising Out of PS. Case No.-426 Year-2025 Thana- BIHIA District- Bhojpur

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Sipi Turha @ Sippi Turha @ Satyendra Prasad S/O Vithal Turha @  
Satyanarain Prasad R/O Village- Raza Bazar Ward No. 08 Bihiya, P.S- Bihiya,  
Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amarendra Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

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

2      13-01-2026                      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 Section 30(a) of  
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 97.290 litres of liquor from the house of the  
petitioner. It is next submitted that petitioner was not arrested  
from the spot as such nothing was recovered from his conscious  
possession and the house in question is a joint family property  
as such it cannot be alleged with certainty that it was petitioner,  
who had kept the liquor in the house or the liquor kept in the



house was within his knowledge and after amendment in the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away with and he came to be implicated at the instance of local person but then the name of person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Bihiyan P.S. Case No.426/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. 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 even one



case, 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 is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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