

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90448 of 2025

Arising Out of PS. Case No.-283 Year-2025 Thana- RAGHOPUR District- Vaishali

-
1. Pappu Sah Son of Lagan Sah Resident Of Village - Jahagirpur, P.S. - Rustampur, Dist. - Vaishali.
 2. Dashrath Mahto Son of Hemant Mahto Resident Of Village - Jahagirpur, P.S. - Rustampur, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 274, 275 and 3(5) of B.N.S., 2023 as well as Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and allegation is of recovery of 100 litres of liquor from a place near the field of petitioners. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession



and even alleged recovery is from a place which does not belong to the petitioners but then is adjacent to their field and they came to be implicated based on secret information which is the easiest way to implicate someone 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.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-II-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Raghapur (Rustampur) P.S. Case No.283 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 petitioner no.1 has antecedent of more than one case and petitioner no.2 has antecedent of even one case, 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 petitioner no.1 has antecedent of only one case and petitioner no.2 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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

