

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.90683 of 2025**

Arising Out of PS. Case No.-168 Year-2025 Thana- VAISHALI District- Vaishali

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1. Arun Singh @ Hariom S/o Haridat Patel Resident of - Madarna, P.S - Vaishali, District - Vaishali
  2. Abhishek Kumar S/o Arun Singh @ Hariom Resident of - Madarna, P.S - Vaishali, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Ms.Asha Devi

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

2      08-01-2026              1.    Heard learned counsel for the petitioners and learned A.P.P. for the State.

                                         2.    The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

                                         3.    Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 21.75 litres of liquor and 54 litres of beer from cowshed of the petitioner no. 1.

                                         4.    Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and the cowshed is a



place outside the house and thus is accessible to villagers at large. It is next submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is further submitted that someone inimical to family concealed the liquor without the knowledge of the petitioners and the police in a mechanical manner without holding a proper investigation implicated them based on confessional statement of Vikash in police custody, when petitioners admittedly are person with clean antecedent. It is also submitted that Vikash is son of petitioner no. 1 and brother of petitioner no. 2, as such it does not appear probable that Vikash would have disclosed the name of the petitioners.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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 trial court within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) each 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 Vaishali P.S. Case No. 168 of 2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioners have antecedent of even one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioners are person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

Sumit/-

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