

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.226 of 2026

Arising Out of PS. Case No.-457 Year-2025 Thana- VAISHALI District- Vaishali

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1. Ritesh Kumar Son of Sonelal Rai Resident of Village- Sain, P.S.- Vaishali (Belsar O.P.), District- Vaishali
 2. Sonelal Ray Son of Mahesh Rai Resident of Village- Sain, P.S.- Vaishali (Belsar O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarjeet Prabhakar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-01-2026 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 126(i), 115(2), 118(1), 352 and 3(5) of the BNS read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners has antecedent of two cases under the excise act and allegation is of recovery of 900 ml of liquor from a mango orchard near the house of the petitioners.

4. Learned counsel for the petitioners submits that petitioners were not apprehended 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 and is accessible to public at large and they came to be implicated at the instance of one Prabhu Kumar who is the informant with whom petitioners are on an inimical term.

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. 10,000/- (Rupees Ten Thousand) 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. 457 of 2025 subject to the conditions as laid down under 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 more than two cases 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, but after verification if it is found that petitioners have antecedent of two case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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