

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91436 of 2025

Arising Out of PS. Case No.-386 Year-2025 Thana- NASRIGANJ District- Rohtas

1. Bobby Kumar @ Ravi Kumar @ Bobby S/O Nandu Yadav @ Jitendra Singh
R/o Village- Nasriganj, P.S.- Nasriganj, Dist.- Rohtas, Bihar
2. Raviranjana Yadav @ Ranjan Kumar S/O Mallu Yadav @ Dinesh Singh R/o
Village- Nasriganj, P.S.- Nasriganj, Dist.- Rohtas, Bihar
3. Sadhu Kumar S/O Ramashish Singh R/o Village- Nasriganj, P.S.- Nasriganj,
Dist.- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-01-2026 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 126(2), 115(2), 132, 351(2), 352, 3(5), 121(1) of the
B.N.S. and Sections 30(a), 45 of the Excise Act.

3. The learned counsel for the petitioners submits that
the petitioner nos.1 and 2 are persons with clean antecedent and
petitioner no.3 has antecedent of three cases under the Excise
Act and the allegation is of recovery of 23 litres of liquor from
house of petitioner no.1.



4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a house, which does not belong to the petitioner nos.2 and 3 and even the house in question is a joint family property and thus, it cannot be alleged with certainty that it was the petitioners, who had kept the liquor in the house or the liquor kept in the house was within their knowledge and they came to be implicated based on confessional statement of Sujit Kumar in police custody, which does not have any evidentiary value.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen 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 Nasriganj P. S. Case No.386 of 2025, subject



to the conditions laid down under Section 482(2) of the BNSS.

7. The application stands allowed.

8. 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 and 2 have antecedent of even one case and petitioner no.3 has antecedent of more than three cases, 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 nos.1 and 2 have antecedent of even one case and petitioner no.3 has antecedent of three cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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