

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.814 of 2026**

Arising Out of PS. Case No.-202 Year-2025 Thana- SARAI RANJAN District- Samastipur

1. Chandan Kumar @ Chandan Ray S/o Rajendra Ray @ Rajendra Prasad Ray @ Rajindra Ray R/o village - Baruna Rasalpur , P.S - Sarairanjan , District - Samastipur
2. Mohan Kumar Ray @ Mohan Kumar S/o Birbahadur Ray @ Birendra Prasad Ray @ Birendra Ray @ Virendra Rai R/o Village - Baruna Rasalpur, P.S - Sarairanjan, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mahendra Pratap  
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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

2      19-01-2026                      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 offence punishable under Sections 274, 275 BNS & Section 30(a) of Bihar Prohibition and Excise Amendment Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 170 litres of spirit from the house of Sachin Rai along with 2 litres of spurious liquor. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged



recovery is from a place which does not belong to the petitioners and the petitioners have no concern or relation with Sachin and they 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 when petitioners admittedly are persons with clean antecedent.

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

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 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 Sarairanjan P.S. Case No.202/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of



even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioners are persons with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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