

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.560 of 2026

Arising Out of PS. Case No.-100 Year-2025 Thana- Excise Dumraon District- Buxar

1. Upendra Kumar @ Chhotu @ Upendra Kumar Singh S/O Shivdhari Singh R/O vill.- Mandiya, P.S.- Sonvarsha, Dist.- Buxar
2. Muna Yadav @ Baliram Singh S/O Akshay Lall Yadav R/O vill.- Kirani, P.S.- Sonvarsha, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Chandra Singh
		Mr. Shankar Kumar
		Mr. Radha Krishna
For the Opposite Party/s :		Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-01-2026 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 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 9.750 litres of liquor from Dhaba of petitioner no.2.

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, but he came to be



implicated based on the fact that he is owner of the Dhaba. It is next submitted that no prudent person would use their own premises for committing a crime and thus, would create evidence against themselves and hence, would get implicated and at the same time shall bring disrepute to their business. It is submitted that at the Dhaba, several customers come and it might be a possibility that someone fearing the police left meager amount of liquor and police in a mechanical manner based on confessional statement implicated the petitioners, when admittedly petitioners are persons with clean antecedent.

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.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 Dumraon Excise P. S. Case No.100 of 2025, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

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 petitioners have 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 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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