IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59093 of 2026

Arising Out of PS. Case No.-326 Year-2026 Thana- RIVILGANJ District- Saran

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1. Ravi Kumar @ Ravi Ray S/O Harihar Ray R/V Nabiganj, Bin Toli, PS-Bhagwan Bazarr, Distt-Saran
2. Manish ray @ Manish Kumar Ray S/O Ramdayal Ray R/V Jaan Tola, PS-Bhagwan Bazarr, Distt-Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Raushan Raj
For the Opposite Party/s : Ms.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 21-08-2026 **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 Sections 111 and 132 of BNS, Section 30(a) of the Bihar Excise Act and Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases under the Excise Act and petitioner no. 2 has antecedent of twelve cases out of which nine cases are under the Excise Act and allegation is of recovery of 974.76 litres of liquor from two motorcycles.

4. Learned counsel for the petitioners submits that the

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petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of the seized vehicle and they came to be implicated based on confessional statement of Sonu in police custody which does not have any evidentiary value. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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 within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 60,000/- (Rupees Sixty 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 Revilganj P.S. Case No. 326 of 2026, 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

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event if it is found that petitioner no. 1 has antecedent of more than two cases and petitioner no. 2 has antecedent of more than twelve 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 with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of twelve cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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