

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23441 of 2025

Arising Out of PS. Case No.-305 Year-2020 Thana- BAUNSI District- Banka

Mukesh Singh @ Mukesh Kumar son of Balram Singh @ Balbant Singh
Village -Ward no 9 Mahaddipur PS- Pasraha District -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-04-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 32(2) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 117 liters of liquor from a Scorpio vehicle.
4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated based on confessional statement of Dilip and Jyotish in police custody which does not have any evidentiary value. It is further



submitted that police investigates in a mechanical manner and implicates either at the instance of *Chowkidar*, local person, confessional statement or secret information.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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. 500/- (Rupees Five Hundred) 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 Bounsi P.S. Case No. 305 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned Trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional



anticipatory bail shall not be confirmed, but in the event if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

