

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37959 of 2025

Arising Out of PS. Case No.-422 Year-2023 Thana- NAANPUR District- Sitamarhi

Pachchu Kumar @ Pachchu Mukhiya S/O Sureshwar Mukhiya Resident of
Village- Bahera, Ward No. 2, P.S.- Nanpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2025 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 offence punishable under Sections 30(a), 36,
41(i) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 42.9 litres of liquor from various places including
18.9 litres from a brick kiln. It is next submitted that petitioner
was not arrested from the spot as such nothing was recovered
from his conscious possession. It is also submitted that neither
the hut, brick kiln, orchard belongs to the petitioner nor he has
any relation with Kishun and Munni Sahni and he came to be
implicated based on secret information which is the easiest way



to implicate someone. It is also asserted and submitted that the brick kiln does not belong to the petitioner.

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

5. 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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) 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 Nanpur P.S. Case No. 422/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of one case, in that event the provisional anticipatory bail order shall be



confirmed forthwith.

(Satyavrat Verma, J)

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