

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75165 of 2025

Arising Out of PS. Case No.-546 Year-2025 Thana- KADAMKUAN District- Patna

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Mukesh Kumar S/O Surendra Choudhary @ Sulendra Choudhary R/O
Musallahpur Hat, Professor Colony, P.S.- Sultanganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-11-2025 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 Section 30(a) of the
Excise Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 43.375 liters of liquor from a Scooty.
4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the Scooty and he came to be implicated based on confessional
statement of Pankaj in police custody which does not have any
evidentiary value.
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 Kadamkuan P.S. Case No. 546 of 2025, 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 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 order shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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