

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79101 of 2025

Arising Out of PS. Case No.-965 Year-2023 Thana- KANTI District- Muzaffarpur

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RUPESH THAKUR @ SATYAM KUMAR S/o- Prahlad Thakur R/v- Shain
Birjlal Ps- Kanti Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Sri Madan Kumar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a),
32(2), 32(3), 36, 41(1) and 41(2) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and allegation is of
recovery of 5670 litres of liquor from 5 different vehicles.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of
any of the seized vehicles and he came to be implicated based
on confessional statement of Deepak Kumar in police custody
which does not have any evidentiary value. It is further



submitted that since petitioner has antecedent, as such police through Deepak got him implicated.

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. 35,000/- (Rupees Thirty-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 Kanti P.S. Case No. 965 of 2023, 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 more than seven cases 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 has antecedent of seven



cases, in that event the provisional anticipatory bail order shall
be confirmed forthwith.

(Satyavrat Verma, J)

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