

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.789 of 2026

Arising Out of PS. Case No.-103 Year-2025 Thana- Excise P.S. District- Madhepura

Pintu Poddar @ Pintu Kumar Son of Late Nathan Poddar R/v- Murliganj,
Goushala Chowk, Ward No-2, PS-Murliganj, Dist-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of four cases, out of which three cases
are under the Excise Act, and allegation is of recovery of 25
litres of liquor from possession of Shakti Kumar. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and he
came to be implicated based on the confessional statement of
Shakti Kumar in police custody which does not have any
evidentiary value. It is next 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.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Excise Judge-II, Madhepura in connection with Madhepura Excise P.S. Case No.103 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents of more than four cases,



then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedents of only four cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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