

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3573 of 2026

Arising Out of PS. Case No.-416 Year-2022 Thana- RIGA District- Sitamarhi

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Rupesh Kumar @ Rupesh S/o Saroj Mandal @ Manoj Kumar @ Manoj Mandal Resident of Village- Rewasi, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2026 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 414 of IPC and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 745.500 litres of liquor from two different cars and four motorcycles.

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 he came to be implicated based on the fact that he is owner of one of the seized motorcycles, which is registered in the name of his wife.



It is next submitted that no husband would use the vehicle registered in the name of his wife for committing an occurrence and thus would create evidence against her and hence would get her implicated, it is further submitted that petitioner was completely unaware that Shivam would misuse the vehicle in the manner as alleged, who was also apprehended from the spot along with Jaishankar and Dilip.

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 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 Riga P.S. Case No. 416 of 2022, 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)

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