

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3665 of 2026

Arising Out of PS. Case No.-300 Year-2025 Thana- KADWA District- Katihar

Jageshwar kumar singh @ Jagesh Kumar Singh son of Rakhal Singh Resident
of Village -Jaja Police Station -Kadwa District -Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 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 offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is
of recovery of 70 litres of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing
was recovered from his conscious possession. It is further
submitted that petitioner came to be implicated based on the
fact that he is owner of the seized vehicle. It is next
submitted that no prudent person would use his own vehicle



for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged who also fled from the spot.

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, let 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 Kadwa P.S. Case No. 300 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./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 if it is found that petitioner has antecedent of even one



case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.1,500/- with the Lawyers' Association of the Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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