

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6022 of 2026

Arising Out of PS. Case No.-154 Year-2025 Thana- GAIGHAT District- Muzaffarpur

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Bittu Sah @ Bitu Sah S/o- Bilas Sah @ Bijali Sah R/v- Sonma Wasa, W.No-1,
Ps- Belaur, Dist- Khagaria,P/A- Gali No-5, Kapurthala Road, Opp. Side Aluu
Store, Tara Singh Avenue, Po Ps- Basti Bawa Khel Dist- Jalandar, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-02-2026 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 (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 531 litres of liquor from a pickup vehicle. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and is not
the owner of the seized vehicle and he came to be implicated
during the course of investigation alleging that it was petitioner
who was driving the vehicle. It is further submitted that it



appears that the police during the course of investigation with a view to save the real culprits falsely implicated the petitioner, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-III, Muzaffarpur in connection with Gaighat P.S. Case No.154 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 bond of the petitioner 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 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 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.2500/- with Advocate' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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