

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3959 of 2026

Arising Out of PS. Case No.-339 Year-2024 Thana- Excise P.S. District- Kishanganj

Krishna Kumar @ Krishan Kumar S/O Mukesh Sahni R/O Village-
Chengaghat, P.S- Thakurganj, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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 offences punishable under Sections 30(a) and 32(3) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 1.250 liters of liquor from a motorcycle.
4. Learned counsel for the petitioner submits that petitioner was not apprehended 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 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 brother, Amit, would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Rohit.

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. 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 Madya Nisedh P.S. Case No. 339 of 2024 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.

8. At this stage, the learned counsel for the petitioner, based on instruction, undertakes to deposit an amount of Rs. 1500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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