

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5495 of 2026**

Arising Out of PS. Case No.-41 Year-2025 Thana- MANPUR District- Nalanda

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Gaurav Kumar S/o- Bipin Prasad Resident of village-Sarbahdi, Post office-  
Sarbahdi , Police Station-Manpur, District-Nalanda Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Aklavya Chandan Kumar

For the Opposite Party/s : Ms. Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      02-02-2026                      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 Section 30(a) of the  
Bihar Excise Act.
3. Learned counsel for the petitioner submits that  
petitioner has antecedent of two cases under the excise act and  
allegation is of recovery of 7.250 liters of liquor from a Scooty.
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 further 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, 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. 10,000/- (Rupees Ten Thousand) 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 Manpur P.S. Case No. 41 of 2025 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 more than two cases 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 has antecedent of two cases only, 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. 2500/- with Lawyers’ Association, Patna High Court within a period of two weeks from today.

**(Satyavrat Verma, J)**

Rishabh/-

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