

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6642 of 2026

Arising Out of PS. Case No.-181 Year-2025 Thana- NEORA District- Patna

Biranjan Kumar S/O Lalan Prasad R/O Village - Basaudha, P.O- Sadisopur,
P.S- Neora, District- Patna 8000111

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Saurav, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner, at the outset, submits that inadvertently at para-8 of the anticipatory bail application, it has been pleaded that petitioner is not the owner of the seized Scooty when he is the owner of the seized Scooty thus, seeks permission to make the said rectification in para-8 of the anticipatory bail application.

3. Permission is accorded.

4. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

5. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of



recovery of 51.120 litres of liquor from a Scooty. It is next submitted that 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 seized Scooty. 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.

6. Learned A.P.P. opposes the anticipatory bail application.

7. 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act, Danapur in connection with Neora P.S. Case No.181 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.



8. The application stands allowed.

9. 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 more than 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 has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

10. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.2500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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