

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4766 of 2026

Arising Out of PS. Case No.-507 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Vikash Kumar S/O Hiralal Prasad R/V Bithuna P.S Basantpur, Dist-Siwan
2. Niraj Kumar S/O Hiralal Prasad R/V Bithuna P.S Basantpur, Dist-Siwan
3. Ugrim Manjhi S/O Daresh Manji R/V Bithuna P.S Basantpur, Dist-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-01-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 907.2 litres of liquor from a truck. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and petitioner no.3 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 next submitted that the petitioner was completely unaware that Uttam would misuse his vehicle in the manner as alleged who was also apprehended from the spot along with Raja and petitioner no.1 and 2 came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) each 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 Bhagwanpur Hat P.S. Case No.507/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of



even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioners are persons with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

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

(Satyavrat Verma, J)

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