

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6477 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- GADHPURA District- Begusarai

Laxman Kumar S/o Maya Ram Mahto R/o Village- Maldah, Mauji Hasanpur,
P.S- Hasanpur, Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 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 offence punishable under Sections 30(a) and 41(1)(2) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases under the Excise Act and allegation is of recovery of 559.800 litres of liquor from a truck and a motorcycle. 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 any of the seized vehicle and he came to be implicated based on disclosure made by spy. It is also submitted that once an accused is implicated in



a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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

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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees fifteen 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 Garhpura P.S. Case No.137/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found that petitioner has antecedent of three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.5000/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

