

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6488 of 2026**

Arising Out of PS. Case No.-141 Year-2025 Thana- DUMARIAGHAT District- East  
Champaran

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Mukhlal Prasad Gupta Son of Sahadeo Gupta Resident of Village - Hatwa  
Railway Colony Ward No. .3, Bhatni, P.S. - Hatwa Nakahni Bhatni, District -  
Deoria (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Ms. Madhuri Lata

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**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) of Bihar Prohibition and Excise Act, 2016.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 803.520 litres of liquor from a Hyva truck. 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  
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 and at the same time shall bring disrepute to his business. It is also submitted that the petitioner was completely unaware that his driver would misuse his vehicle in the manner as alleged who also fled from the spot.

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.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 Dumariyaghat P.S. Case No.141/2025, 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 even one case, 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 is a person with clean antecedent, 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.1500/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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