

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12852 of 2026**

Arising Out of PS. Case No.-212 Year-2025 Thana- EXCISE JAGDISHPUR District-  
Bhojpur

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Mohan Sah S/O Ganesh Sah Resident of village- Mira Chowk, PS- Nagar,  
Dist- Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rohit Kumar Sharma  
For the Opposite Party/s : Mr.Umeshanand Pandit

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

- 2      10-03-2026              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 the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 22.320 litres of liquor from a sack near bank of Asni  
river.
4.    Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and even the alleged  
recovery is from a place which does not belong to the petitioner



and is accessible to public at large. It is further submitted that he came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation when petitioner admittedly is a person with clean antecedent.

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 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 Excise Jagdishpur P.S. Case No. 212 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 even one case 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 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

Sumit/-

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