

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9148 of 2026

Arising Out of PS. Case No.-501 Year-2025 Thana- Excise P.S. District- Begusarai

Suresh Kumar S/O Rajendra Tanti R/O Nagar/Village- Khamhar, Ward No. 10, P.O- Rajaura, P.S- Begusarai Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Kumar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-04-2026 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 Sections 30(a), 32(2) and 45 of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 81 litres of liquor from an auto and two motorcycles were seized and 99 litres of liuqor was also seized from the straw house of Rajendra Tanti.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and the straw house is a place outside the house and, thus, is accessible to villagers at large. It is further submitted that no prudent person would use



his own premises for committing an occurrence and, thus, would create evidence against himself and, hence, would get implicated. It is next submitted that petitioner came to be implicated at the instance of the local person but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on the secret information and is a person with clean antecedent. It is also submitted that petitioner has absolutely no concern with seizure of 81 litres of liquor from an auto and the motorcycles nor the vehicles belong to him.

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 appearing on behalf of the petitioner, let 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 Begusarai Excise Case No. 501 of 2025, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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