

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12009 of 2026

Arising Out of PS. Case No.-126 Year-2025 Thana- RAJNAGAR District- Madhubani

Sunil Kamat S/O Sri Hari Lal Kamat R/O Village- Pilakhwar Ward No. 7, P.S-
Rajnagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Ranjan, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 274, 275 and 3(5) of B.N.S., 2023 as well as Sections 30(a) and 47 of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedents of four cases out of which two cases are under the Excise Act and allegation is of recovery of 135 litres of liquor from a Scorpio vehicle. 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 the seized vehicle and he came to be implicated at the instance of local person but then 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.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Madhubani in connection with Rajnagar P.S. Case No.126 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents of more than four cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail



order shall not be confirmed, but if on verification, it is found that petitioner has antecedents of only four cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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