

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11050 of 2026

Arising Out of PS. Case No.-175 Year-2025 Thana- SANGRAMPUR District- Munger

Mithun Kumar S/o Ganesh Yadav R/o Vill- Maheshpur, P.S.- Sangrampur,
Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Sangrampur P.S. Case No. 175 of 2025 registered for the offences under Sections 30(a) and 32 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution story, the allegation against the petitioner is that he was involved in the transportation of 16.8 liters of country made liquor which was recovered from the possession of the co-accused, namely, Ankaj Kumar.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case at the



behest of the apprehended co-accused person, namely, Ankaj Kumar, who allegedly disclosed that the liquor belonged to the petitioner. It is further submitted that the petitioner has falsely been implicated merely because he was not on good terms with the apprehended person. It has next been submitted that the petitioner is not the owner of the motorcycle and no recovery has been made from his conscious possession. It has lastly been submitted that the petitioner carries one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Sangrampur P.S. Case No. 175 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.



8. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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