

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12290 of 2026

Arising Out of PS. Case No.-78 Year-2025 Thana- MORKAHI District- Khagaria

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Rahul Kumar S/O Pawan Yadav @ Shree Lal Yadav Village-Rampur Alauli,
Ward No. 01, P.S.- Alauli, District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Prakash, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 27-02-2026 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(d) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case under the excise act and allegation is of recovery of 40 liters of Jawa Mahua along with 100 liters of raw Jawa from a place near a maize field.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large he came to be implicated based on confessional statement of Rupesh in police custody which does not have any evidentiary value.

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 before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) 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 Morkahi P.S. Case No. 78 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 more than 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 has antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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