

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12409 of 2026

Arising Out of PS. Case No.-362 Year-2025 Thana- KHAGARIA District- Khagaria

1. Ankesh Kumar Son of Bindeshwari Singh @ Vindeswari Singh Resident of Village- Khargi Tirsi, P.S.- Gangour, District- Khagaria
2. Angad Kumar @ Pamua Son of Bindeshwari Singh @ Vindeswari Singh Resident of Village- Khargi Tirsi, P.S.- Gangour, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a), 30(d) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 200 litres of Jawa Mahua from poultry farm of the petitioners. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession. It is next 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 also submitted that no doubt it is alleged that Jawa Mahua was recovered from the poultry farm of the petitioner but then the same was recovered from a place adjacent to his poultry farm but since petitioners have antecedent hence they came to be implicated. It is also submitted that of late police in mechanical manner is implicating accused in case relating to excise having criminal antecedent for obvious reason.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) each 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 Khagaria P.S. Case No.362/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court



thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of more than one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioners have antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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