

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13936 of 2026

Arising Out of PS. Case No.-238 Year-2025 Thana- THALI District- Nawada

=====

Pappu Kumar S/o Sahdev Prasad R/o Village - Bajwatari, P.S - Rajauli,
District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2026 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 111 and
3(5) of the BNS read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases under the Excise Act and
allegation is of recovery of 103 liters of liquor from a
motorcycle and one motorcycle was seized.

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 he came to be
implicated based on the fact that he is owner of one of the
seized vehicles. It is next submitted that no prudent person



would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is also submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

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. 20,000/- (Rupees Twenty 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 Thali P.S. Case No. 238 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 four cases 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 four cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

