

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11959 of 2026**

Arising Out of PS. Case No.-212 Year-2025 Thana- MADHEPUR District- Madhubani

Sambhu Kumar Mukhiya S/O Tuntun @ Tuntun Mukhiya R/O Vill.-  
Matras,P.S- Madhepur,Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jaishankar Kumar Yadav

For the Opposite Party/s : Ms.Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      24-02-2026      **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 274 and 275 of BNS and  
Section 30(a) of the Bihar Excise Act.
- 3.**      Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 8 litres of liquor from a motorcycle.
- 4.**      Learned counsel for the petitioner submits that the  
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  
people, but then the 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.



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 within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Madhepur P.S. Case No. 212 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 even 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 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sumit/-

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