

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16648 of 2026**

Arising Out of PS. Case No.-122 Year-2024 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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Surendra Prasad Singh Son of Ram Sunder Prasad Singh R/o Village -  
Pusaho, P.S. - Bithan, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

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

3      06-04-2026                      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 30(a),  
32(i)(ii), 36 and 41(i)(ii) of the Bihar Prohibition and Excise  
(Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 6831 litres of liquor from a truck.

4. Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is further submitted  
that petitioner is not the owner of the seized vehicle and came to  
be implicated based on the confessional statement of



apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is next submitted that no doubt, it has also been alleged that petitioner was talking to the co-accused, namely, Raj Kumar Ranjan but then Raj Kumar Ranjan is a co-villager and when he was apprehended he called on the mobile of the wife of the petitioner so that she informs his wife that he has been arrested.

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 appearing on behalf of the petitioner, let 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 Begusarai Mufassil P.S. Case No. 122 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case,



it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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