

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16621 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- KAMTAUL District- Darbhanga

Md. Aahid Son of Md. Akhatar @ Md. Akhtar Resident of Village -
Madsudanpur (Maksudanpur) Dumari, P.S.- Nanpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2026 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 Section 30(a) of the
Bihar Excise Act.
3. The learned counsel for the petitioner submits that
this is the second anticipatory bail application of the petitioner.
4. The learned counsel for the petitioner submits that
petitioner had earlier moved before this Court seeking
anticipatory bail by filing Criminal Miscellaneous No. 67123 of
2025, but then the learned counsel, Mr. Uday Kumar who had
appeared in the said criminal miscellaneous, withdrew the same
on the ground that petitioner was arrested, but the petitioner has
not been arrested, it is submitted that it appears that



inadvertently, the said submission was made.

5. Learned counsel for the petitioner next submits that petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 4523.04 liters of liquor from a truck, pick up vehicle and from a thatched house near Panchayat Bhawan.

6. 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 vehicle i.e. pick up. 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 Ajay would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. 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 Kamtaul P.S. Case No. 122 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. 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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