

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19805 of 2026

Arising Out of PS. Case No.-98 Year-2025 Thana- PACHMAHLA District- Patna

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Amit Kumar S/o Late Nagina Singh R/o Village- Nauranga Jalalpur, PS-
Panchmahala, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Ojha

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-03-2026 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 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 5 litres of liquor from a bush near bank of Ganga
river and 15 litres of liquor from a cattle shed of the petitioner.

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 even the cattle
shed is a place outside the house and thus is accessible to
villagers at large. 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 further submitted that it appears that someone inimical to the petitioner concealed meagre amount of liquor without knowledge of petitioner and his family members.

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 Panchmahla P.S. Case No. 98 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)

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