

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21056 of 2026

Arising Out of PS. Case No.-613 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Sudhir Kumar Bharti Son of Ram Babu Yadav Resident of Village - Gausa,
P.O.- Gausaghat, P.S.- Sadar Darbhanga, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-04-2026 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. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 21.5 liters of liquor from a
motorcycle.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession. It is next
submitted that inadvertently at Para-7 it has been submitted that



petitioner had purchased the seized vehicle when petitioner had not purchased the vehicle nor is the owner of the seized vehicle, it is also submitted that petitioner intended to purchase the motorcycle, but the deal failed, still the police implicated the petitioner based on an agreement which was entered in between him and the owner of the motorcycle without verifying the facts in its correct perspective.

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. 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 Sadar Darbhanga P.S. Case No. 613 of 2022 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 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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