

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24889 of 2026

Arising Out of PS. Case No.-148 Year-2026 Thana- Excise P.S. District- Nawada

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1. Uday Kumar S/o Kuldip Yadav R/o Village- Mohkama, PS- Rajauli, Distt.- Nawada, Bihar
 2. Mukesh Kumar S/o Ruplal Yadav R/o Village- Mohkama, PS- Rajauli, Distt.- Nawada, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2 (Mukesh Kumar) who was arrested during pendency of the instant anticipatory bail application.

3. Permission is accorded.

4. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 41 of the Bihar Excise Act.

5. Learned counsel for the petitioner submits that petitioner no. 1 has antecedent of two cases and allegation is of



recovery of 260 liters of liquor from two motorcycles.

6. Learned counsel for the petitioner next submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of any of the seized motorcycles and came to be implicated based on confessional statement of Vikash in police custody which does not have any evidentiary value.

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. 10000/- (Rupees Ten 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 Excise P.S. Case No. 148 of 2026 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 no. 1 and in the event if it is found that petitioner no. 1 has antecedent of more than two cases then it would be presumed that petitioner no. 1, 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 no. 1 has antecedent of two cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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