

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21687 of 2026

Arising Out of PS. Case No.-241 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Vinesh Kumar S/o- Rajendra Mukhiya Resident of village- Nonaura Ward No.
-15, P.S.- Belwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-04-2026 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) and
41(i) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 31.875 litres of liquor from two
motorcycles.

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 came to be implicated based on the fact that he is



owner of one of the seized vehicles. 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 his friend would misuse the vehicle in the manner as alleged who also fled from the spot.

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.10,000/- (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 Ghorasahan P.S. Case No. 241 of 2025, 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 more than two cases, 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 has antecedent of only two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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