

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22881 of 2026

Arising Out of PS. Case No.-429 Year-2024 Thana- AMNAUR District- Saran

Umesh Kushwaha @ Umesh Kumar S/O Baidhnath Prasad Resident of
village - Ward no.- 13, Majhar, P.S- Pakaridayal, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-04-2026 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 offence punishable under Sections 30(a), 47 of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases under the Excise Act and
allegation is of recovery of 285.06 litres of liquor from Tata
Tigor Car. It is next submitted that petitioner was not arrested
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 the seized vehicle. 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 the petitioner was completely unaware that Ritik would misuse his vehicle in the manner as alleged who was also apprehended from the spot.

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

5. 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.20,000/- (Rupees twenty 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 Amnour P.S. Case No.429/2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than four cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found that petitioner has antecedent of four cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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