

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23810 of 2026

Arising Out of PS. Case No.-109 Year-2026 Thana- PATLIPUTRA District- Patna

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Amar Rajput @ Amar Kumar Rajput S/o Lakshman Prasad R/O- Shushila
Sadan West Boring Canal Road, South Anandpuri, P.S.- S.K. Puri, Distt.-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd Singh, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2026 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 Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 76.3 litres of liquor from the rented
room of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the liquor
was recovered from the house in which he had taken a room on
rent but then at the instance of the landlord, the petitioner came



to be implicated in a mechanical manner since he had an earlier antecedent under the Excise Act.

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.5,000/- (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 Patliputra P.S. Case No. 109 of 2026, 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 one case, 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 one case in that event the



provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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