

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25274 of 2026

Arising Out of PS. Case No.-42 Year-2026 Thana- KHUSRUPUR District- Patna

Rajesh Kumar @ Rajesh Singh Son of Siya Singh Resident of village -
Sukarbegchak, Police Station - Khushrupur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2026 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
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 10 litres of liquor from bank of Dhowa river. It is
next submitted that petitioner was not arrested from the spot as
such nothing was recovered from his conscious possession and
even alleged recovery is from a place which does not belong to
the petitioner and is accessible to public at large and he came to
be implicated at the instance of local person but then the name
of the person who disclosed the name of the petitioner is not



disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information. It is also submitted that of late police has started implicating accused having criminal antecedent in cases relating to liquor for obvious reason without holding a proper investigation.

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.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 Khushrupur P.S. Case No.42/2026, 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 two 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 two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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