

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25239 of 2026

Arising Out of PS. Case No.-63 Year-2026 Thana- KALYANPUR District- Samastipur

Pankaj Kumar S/o Laxmi Mahto R/o Village - Bhutta Chowk (Gopalpur), P.S
- Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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 offences punishable under Section 318(4) of the BNS, 2023 read with Sections 30(a) and 41(1) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 2800.4 liters of liquor from a bamboo orchard and one Xylo vehicle was seized.

4. Learned counsel for the petitioner submits that petitioner was not apprehended 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 not the owner of the seized vehicle and came to be implicated based on secret information which is the easiest way to implicate someone without holding a proper investigation.

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 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. 500/- (Rupees Five Hundred) 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 Kalyanpur P.S. Case No. 63 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, 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 is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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