

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26373 of 2026**

Arising Out of PS. Case No.-328 Year-2025 Thana- KUNDWACHAINPUR District- East  
Champaran

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Arvind Singh S/o Late Yogendra Singh @ Nanhak Singh Resident of village -  
Dastiya, P.S- Kundwa Chainpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar  
For the Opposite Party/s : Mr. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      22-04-2026                      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 30(a) 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 55.5 liters of liquor from a motorcycle.
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 is not the  
owner of the seized vehicle and came to be implicated based on  
confessional statement of apprehended accused in police



custody which does not have any evidentiary value. It is next submitted that after amendment in the excise act in the year 2018, the concept of deemed possession and presumed offender has been done away with.

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 Kundwa Chainpur P.S. Case No. 328 of 2025 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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