

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29123 of 2026

Arising Out of PS. Case No.-140 Year-2026 Thana- SULTANGANJ District- Patna

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Mukesh Kumar S/o SuSurendra Choudhary @ Sulendra Chaudhary R/o Lata
Kunj Gali, Musallahpur hat, Professor Colony, Shahganj, P.S. - Sultanganj,
Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mithilesh Kr. Arya
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-06-2026 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 the
petitioner is a person with clean antecedent and allegation is of
recovery of 14.805 litres of liquor from a garbage.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner
and he came to be implicated at the instance of local people, 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.

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 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 Sultanganj P.S. Case No. 140 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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