

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31196 of 2026**

Arising Out of PS. Case No.-103 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

Md. Imran Alam @ Imran @ Md. Imran S/O Md. Shahid Alam Resident of  
Molbi Tola, Sontha, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

**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 offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 78.750 litres of liquor from a car.

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 is not the owner of  
the seized vehicle. It is further submitted that the police, after  
threadbare investigation, submitted final form in favour of the  
petitioner but the learned Magistrate differing with the police  
report took cognizance. It is next submitted that when one



investigating agency, after threadbare investigation, came to a considered conclusion that petitioner is innocent, whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation.

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.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 Kochadhaman P.S. Case No. 103 of 2020, 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 even 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 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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