

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35898 of 2026

Arising Out of PS. Case No.-418 Year-2025 Thana- MIRGANJ District- Gopalganj

Mukul Ansari @ Nausad Ansari @ Naushad Ali @ Mukul Ansari Nausad S/O
Akbar Ansari @ Ali Akbar R/O Village- Baraipatti, P.S- Mirganj, Dist.-
Gopalganj, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 27-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Mirganj P.S. Case No.418 of 2025 for allegedly having committed offences under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022 and Section 317(5) of B.N.S., 2023.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that he got a secret information that the petitioner along with other co-accused is transporting huge quantity of liquor in a Scorpio vehicle via Bala-Hata-Harkhauri Paschim Tola. To verify the authenticity of the said secret information,



the informant along with the police party reached near the house of Jitendra Pathak at about 13:00 hours. He saw a Scorpio coming from the opposite direction and when the Scorpio was signaled to stop. However, upon seeing the police party, the persons sitting in the same, managed to flee. Upon seeing the police party, the local people assembled there and they disclosed the names of the persons, who fled away as Vikash Kumar and Mukul Ansari (petitioner herein). In presence of the witnesses, the said Scorpio vehicle, bearing Registration No. DL3CAS-2737 was searched and total 204 litres of Beer and Whiskey was recovered from the said vehicle. Accordingly, the First Information Report was lodged.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner was not present at the place of occurrence and nothing has been recovered from his possession. The learned counsel for the petitioner submits that the petitioner has been implicated in the present case on the basis of statement given by the local people, who assembled there. He further submits even the seized Scorpio does not belong to him and further the petitioner has got no concern with alleged seized liquor. The learned counsel for the petitioner further submits that the



petitioner is an accused in two other cases of similar nature, however he is on bail in both the cases.

6. *Per Contra*, the learned APP appearing on behalf of the state opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner is a habitual offender, having similar nature of cases and therefore he does not deserve the privilege of anticipatory bail.

7. Having considered the rival submissions and after going through the records, it appears that the petitioner was not present at the place of occurrence, however on the basis of the identification of the local people, his name has transpired in the present case. The petitioner is not the owner of the seized vehicle and only on suspicion, his name has been taken by the local people, to be the person who along with co-accused Vikash Kumar fled away from there. Total recovery is to the tune of 204 litres from the Scorpio vehicle, which admittedly does not belong to the petitioner.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



A.D.J.-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Mirganj P.S. Case No.418 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/Shital

U		T	
---	--	---	--

