

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37382 of 2026

Arising Out of PS. Case No.-407 Year-2026 Thana- AGAMKUAN District- Patna

=====

Kjan Kumar @ Kajan Mahto S/o Kailash Mahto @ Kalesh Mahto Resident of
Village - L.I.G. Colony, P.S.- Agamkuan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Rai

For the Opposite Party/s : Mr.Tapeshwar Sharma

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2026 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 4.5 litres of liquor from possession of Siddharth and
161.64 litres of liquor from flat No. 435 at LIG colony.

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 the flat from
where the liquor is alleged to have been recovered does not
belong to petitioner and petitioner has no concern or relation



with Siddharth and he came to be implicated based on confessional statement of Siddharth and Santu in police custody which does not have any evidentiary value. It is reiterated and submitted that petitioner is a person with clean antecedent.

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 Agamkuan P.S. Case No. 407 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)

Sumit/-

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

