

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40658 of 2026**

Arising Out of PS. Case No.-241 Year-2021 Thana- KURSAKANTA District- Araria

Md. Salman Son of Khaza Hussain R/o Village-Lailokha, Garaiya, Ward No.  
05, P.S.- Kursakanta, District- Araria, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

2      24-06-2026              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 45 litres of liquor from a motorcycle.

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 he came to be  
implicated based on the fact that he is owner of the seized  
vehicle. It is next submitted that no prudent person would use  
his own vehicle for committing an occurrence and thus would



create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged, who also fled from the spot.

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 Kursakanta P.S. Case No. 241 of 2021 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/-

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