

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43352 of 2026**

Arising Out of PS. Case No.-368 Year-2025 Thana- KOCHADHAMAN District- Kishanganj

Masrekul @ Masrekul Alam @ Masreful Alam Son of Sakir Alam @ Sakir  
Resident of Village- Dey Market, Ward No. -02, P.S.- Kochadhaman, District-  
Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Bharat Lal

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

- 2      03-07-2026                      1. Heard learned counsel for the petitioner and  
learned APP for the State.
2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and allegation is  
of recovery of 2850.480 litres of liquor from a truck.
4. The 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 truck and he came to be implicated based on secre  
information, which is the easiest way to implicate someone



without holding a proper investigation, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum 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 Special Case No.228 of 2025 arising out of Kochadhaman P. S. Case No.368 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner 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 obtaining anticipatory bail had concealed his antecedent before this Court,



in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, 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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