

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41571 of 2026

Arising Out of PS. Case No.-102 Year-2026 Thana- SARAI District- Vaishali

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1. Anand Kumar S/O Umesh Ray Resident of Village- Basant Patedha @ Jahangirpur Patedha/ Patreha, P.S.- Sarai, District- Vaishali.
 2. Pankaj Kumar S/O Umesh Ray Resident of Village- Basant Patedha @ Jahangirpur Patedha/ Patreha, P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, namely, Anand Kumar, who was arrested.
3. Permission is accorded.
4. The petitioner no.2 apprehend his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.
5. Learned counsel for the petitioner submits that petitioner no.2 is a person with clean antecedent and allegation is of recovery of 1.095 litres of liquor from an Banana orchard.



It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and he came to be implicated based on secret information which is the easiest way to implicate someone, without holding a proper investigation.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.2, 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 Sarai P.S. Case No.102/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioner no.2 and in the event if it is found that petitioner no.2 has antecedent of even one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as



such, the provisional anticipatory bail order shall not be confirmed but if after verification, it is found that petitioner no.2 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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