

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41583 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- MOHANPUR District- Samastipur

Bhola Singh @ Ajay Kumar Singh S/o Shri Singh @ Shri Bhagwan Singh @
Bhagawan Singh Resident of Village- Matiaur, Bishunpur, Police Station-
Mohanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-06-2026 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 offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 15 litres of liquor from a bush near shop of the
petitioner. 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 but then is adjacent to his shop and he
came to be implicated based on confessional statement of Mahavir
in police custody which does not have any evidentiary value.
4. Learned A.P.P. for the State opposes the prayer for
anticipatory bail of the petitioner.



5. 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 Mohanpur P.S. Case No.65/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner 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 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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