

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44389 of 2026

Arising Out of PS. Case No.-159 Year-2026 Thana- Excise P.S. District- Begusarai

Shubham Thakur @ Shubham Kumar S/o Shambhu thakur R/o Village - Bari
Aghu(Mohan Aghu), Ward no. 41, P.S. - Muffasil, Dist. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2026 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 Sections 30(a) and
32(3) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 1416.600 liters of liquor from a pick up
vehicle.

4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession and is not the owner of the
seized vehicle he came to be implicated based on confessional
statement of Raj Kumar in police custody which does not have any
evidentiary value.

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 before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) 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 Excise P.S. Case No. 159 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 more than 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 ha antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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