

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45406 of 2026

Arising Out of PS. Case No.-132 Year-2026 Thana- KOCHAS District- Rohtas

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Anand Kumar Gupta @ Pawan Gupta Son of Ramchandra Sah Resident of
Village- Kochas, Ward No. 14, P.S.- Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kant

For the Opposite Party/s : Ms. Gulnar Begum

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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 offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 25.815 litres of liquor from a place
near a government drain. 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 is accessible
to public at large and he came to be implicated at the instance of
chowkidar with whom he is on an inimical term.
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.10,000/- (Rupees Ten 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 Kochas P.S. Case No.132/2026, 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 more than two cases, 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 has antecedent of two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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