

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48368 of 2026

Arising Out of PS. Case No.-210 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md Khurshid Alam Son of Md Mammu Resident of Village- Bakshi Maidan,
P.S.- Patna City, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-07-2026 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), 32,
41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 17.620 litres of liquor from a car. It is further
submitted that inadvertently, in the anticipatory bail application,
it has been pleaded that petitioner is owner of the seized car
when he is not for which a supplementary affidavit has been
filed. It is next submitted that owner of the car is Anshu Kumar
and the petitioner intended to purchase the car from Anshu
Kumar for which an affidavit was executed but subsequently
Anshu Kumar refused to sell his vehicle but then utilized the



said affidavit for implicating the petitioner. It is reiterated and submitted that petitioner is a person with clean antecedent and is not a criminal.

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 appearing on behalf of the petitioner, let 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 Kochadhaman P.S. Case No. 210 of 2023 giving rise to Special Case No. 421 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

6. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order



shall not be confirmed but if it is found on verification 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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