

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49355 of 2026

Arising Out of PS. Case No.-9 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Rajkumar S/O Mukesh Mahto R/O Village- Mathurapur, P.S.- Dalsingsarai,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2026 1. Heard learned counsel for the petitioner and Mr.
Rabindra Kumar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 120(b) of the Indian Penal Code as well as Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 1654.845 litres of liquor from a truck.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and is not the owner of the truck but came to be implicated based on the fact that he is user of mobile no. 8295833544. It is further submitted that



merely because the mobile is registered in the name of the petitioner that in itself does not connect the petitioner with the offence. It is reiterated and submitted that petitioner is a person with clean antecedent.

5. Mr. Rabindra Kumar, 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 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 Begusarai Mufassil P.S. Case No. 09 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.

7. 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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