

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51532 of 2026

Arising Out of PS. Case No.-168 Year-2025 Thana- Jaitpur District- Muzaffarpur

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Pankaj Kumar Jha S/o Indu Bhashan Jha R/o Block a flat no 320, 20/W, Devi
Mandir Lane, P.S.- Lilua Balli(M), District- Hawarah(West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2026 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 Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 7.920 liters of liquor from a tanker and 464.085
liters of liquor from house of Ajay Singh and Ashok Singh.

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 even alleged
recovery is from a place which does not belong to the petitioner
and he has no concern or relation with Ajay and Ashok and he



came to be implicated based on the fact that he is owner of the seized tanker. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated and at the same time shall bring disrepute to his business, it is further submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged who also fled from the spot.

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. 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 Jaitpur P.S. Case No. 168 of 2025 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 even 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 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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