

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52623 of 2026**

Arising Out of PS. Case No.-207 Year-2026 Thana- EXCISE SHERGHATI District- Gaya

Pappu Kumar S/O Mahesh Yadav R/O Village- Palhat, P.S.- Sherghati, Dist.-
Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 29-07-2026 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 Sections 30(a) and
32(c) of Bihar Prohibition and Excise Amendment Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 36 litres of liquor from a motorcycle
along with 90 kilograms of Mahua flower.
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 seized vehicle and he came to be implicated based on
confessional statement of Kulendra 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 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 Sherghati P.S. Case No.207/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. 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 one case, 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 one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

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(Satyavrat Verma, J)

