

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58853 of 2025

Arising Out of PS. Case No.-202 Year-2022 Thana- BAHADURGANJ District- Kishanganj

1. Aakash Kumar @ Aakash Kumar Singh @ Vivek Kumar S/o Rajnarayan Singh @ Raj Narayan R/o vill - Gamhariya (Bangra), P.O. - Kishunpur, P.S.- Jalalpur, Dist.- Saran, Bihar
2. Bittu Singh @ Vishwajeet @ Vishwajeet Kumar Singh @ Bittu Kumar S/o Vijay Singh @ Vikrama Singh R/o vill - Gamhariya ward no. 14, P.O. - G.S. Bangra, P.S.- Jalalpur, Dist.- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

 2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 41(1) of the Bihar Excise Act.

 3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of two cases and allegation is of recovery of 206 litres of liquor from a car.

 4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the



owners of the seized vehicles and they came to be implicated based on confessional statement of Chandan 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 petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten Thousand) each 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 Bahadurganj P.S. Case No. 202 of 2022, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has antecedent of even one case and petitioner no. 2 has antecedent of more than two cases then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not



be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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