IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75027 of 2026

CNR No. BRHC011050612026

Arising Out of PS. Case No.-152 Year-2026 Thana- SAMASTIPUR MUFFASIL District-Samastipur

==========

Pankaj Kumar S/o- Tej Narayan Ray R/Vill- Rampura, P.S- Kalyanpur, Dist-Samastipur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Amar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

==========

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 28-10-2026 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 319(2) and 318(4) of the BNS, 2023 read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases under the Excise Act and allegation is of recovery of 252 liters of beer along with 62.1 liters of liquor from seven buckets.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing

WEB COPY

was recovered from his conscious possession and even alleged recovery is from a warehouse which does not belong to the petitioner and he came to be implicated based on his mobile number. It is further submitted that petitioner is known to the owner of the warehouse, hence came to be implicated when petitioner is a resident of Ranchi.

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. 10000/- (Rupees Ten 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 Samastipur Muffasil P.S. Case No. 152 of 2026 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 more than two cases then it would be presumed that petitioner, for the

WEB COPY

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 has antecedent of two cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Rishabh/-

U		T	

WEB COPY