

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84886 of 2025

Arising Out of PS. Case No.-353 Year-2025 Thana- BAKHARI District- Begusarai

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1. Sumit Kumar S/O Arun Kumar R/O Village - Udaypur (Udaipur), P.S- Bakhri, District - Begusarai
 2. Arun Kumar S/O Ram Chandra Mahto R/O Village - Udaypur (Udaipur), P.S- Bakhri, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam Prerna, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 19-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1 (Sumit Kumar) who was arrested during pendency of the same.
3. Permission is accorded.
4. The petitioner no. 2 apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
5. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of



recovery of 27.9 liters of liquor from hut of Sumit Kumar.

6. 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 petitioner has no concern or relation with Sumit, but then being co-villager he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner no. 2 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 Bakhri P.S. Case No. 353 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner no. 2 and in the event if it is found that petitioner no. 2 has antecedent of even



one case then it would be presumed that petitioner no. 2 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 no. 2 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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