

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88058 of 2025

Arising Out of PS. Case No.-422 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Bikram Mahaldar S/o Yogendra Mahaldar Resident of Mohalla Naya Tola,
P.S.- Katihar Town, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-01-2026 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 read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of seven cases under the excise act and allegation is of recovery of 23.97 liters of liquor from a bag along with a motorcycle and one country made pistol along with three live cartridges.

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 he came to be



implicated based on confessional statement of Rahul in police custody which does not have any evidentiary value. It is asserted and submitted that cartridges and arms were not recovered from the possession of the petitioner.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application and submits that petitioner has antecedent of seven cases and allegation is of recovery of country made pistol along with three live cartridges from the place of occurrence and the name of the petitioner transpired in the confessional statement of Rahul. It is next submitted that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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