

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87799 of 2025

Arising Out of PS. Case No.-206 Year-2025 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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Lav Kumar Singh S/o Late Dukhbhanjan Singh Resident of village- Khurhan,
Ward No 07, P.S.- Alamnagar, District- Madhepura Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 31-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 150.230 litres of liquor from house of the petitioner. It
is next submitted that petitioner was not arrested from the spot, as
such, nothing was recovered from his conscious possession and
from perusal of Annexure-2, it would manifest that the house in
question was given on rent to Rupesh Kumar, a political worker,
but then police in a mechanical manner without investigating the
case in a correct perspective mechanically implicated the
petitioner merely for the reason that he is owner of the house. It is
also submitted that no prudent person would use his own premises



for committing an occurrence and thus, would create evidence against himself and hence, would get implicated. It is also submitted that petitioner came to be implicated at the instance of local person but then name of the person, who disclosed the name of the petitioner, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent. It is further submitted that petitioner has already been granted the privilege of provisional anticipatory bail by an order dated 22.12.2025 by a learned Coordinate Bench.

4. Learned APP opposes the anticipatory bail application.

5. Considering the submissions made by learned counsel for the petitioner, the provisional anticipatory bail is confirmed on the same terms and conditions.

6. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.1500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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