

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4136 of 2026

Arising Out of PS. Case No.-600 Year-2025 Thana- KOTWALI District- Patna

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Mannu @ Abhimanyu Kumar @ Abhimanyu Paswan S/o Indal Paswan R/o
Mohalla - Kamala Nehru Nagar, Ward No. 21, P.S - Kotwali, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Saumya Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) and 37 of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of five cases out of which four cases
are under the Excise Act and allegation is of recovery of 32.18
litres of liquor from possession of Aditya Kumar. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and he
came to be implicated based on confessional statement of
apprehended accused in police custody, which does not have
any evidentiary value. It is also submitted that once an accused



is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Bihar Prohibition and Excise Act-I, Patna in connection with Patna Kotwali P.S. Case No.600 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents of more than five cases,



then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedents of only five cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.5,000/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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