

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4359 of 2025

Arising Out of PS. Case No.-68 Year-2021 Thana- RAUTA District- Purnia

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Md. Anwar Son of Mahairuddin Resident of VillageParasmani, P.S -Sarai,
Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act in connection with Special Excise Case No.138 of 2021 arising out of Rauta P.S. Case No.68 of 2021.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 234 liters of liquor from a Tata Safari vehicle.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred Only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Court No.2, Purnea in connection with Special Excise Case No.138 of 2021 arising out of Rauta P.S. Case No.68 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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 of even one case, in that event, the provisional anticipatory bail order



shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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