

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4502 of 2025

Arising Out of PS. Case No.-1096 Year-2024 Thana- Excise P.S. District- Aurangabad

Pintu Kumar Son of Late Krishna Singh Resident of Village- Ahiyapur, P.S.-
Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2025 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 Sections 30(a) and
32(3) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 20 litres of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
motorcycle. It is next submitted that no prudent person would
use his own vehicle for committing an occurrence and thus



would create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that wakil would misuse the motorcycle in the manner as alleged, who was also apprehended from the spot.

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

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 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 Aurangabad Excise P.S. Case No. 1096 of 2024 subject to the conditions as 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.

(Satyavrat Verma, J)

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