

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5005 of 2025

Arising Out of PS. Case No.-497 Year-2022 Thana- NADI P.S. District- Patna

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Lalan Rai @ Lalan Kumar Son of Bhudev Rai @ Bhudev Rai Resident of
Village- Jafrabad, P.S. -Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-02-2025 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 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 445 litres of liquor from an auto. 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 auto and he came to be implicated at the
instance of mob which gathered at the place of occurrence but
then the F.I.R. does not record the name of the person who
disclosed the name of the petitioner, which casts an aspersion on
the case of the prosecution.



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

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 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 Nadi P.S. Case No.497/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents 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 if on verification 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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