

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7988 of 2025

Arising Out of PS. Case No.-298 Year-2024 Thana- NAUTAN District- Siwan

Praduman Kumar Gond @ Praduman Kumar Sah @ Praduman Gond Son of
Om Prakash God Village- Chitmath, P. S. - Nairwa , Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2025 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 Section 30(a) of the
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of six cases and allegation is of
recovery of 162 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 is not the owner of
the seized motorcycle and he came to be implicated at the
instance of *Chowkidar* because of his antecedents under the
Excise Act. It is next submitted that police in a mechanical



manner implicates without investigating the cases in its correct perspective. 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, confessional statement, secret information or disclosure made by local people.

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. 30,000/- (Rupees Thirty Thousand) 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 Nautan P.S. Case No. 298 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 more than six cases, in that event the provisional anticipatory bail



order shall not be confirmed, but after verification if it is found that petitioner has antecedent of six cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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