

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9456 of 2025

Arising Out of PS. Case No.-58 Year-2022 Thana- KALUAHI District- Madhubani

Md. Faruk Son of Abdul Hafiz Resident of Village - Muraith, P.S.- Arer,
District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2025 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 Sections 147, 148, 353, 272, 273, 34 of the IPC & Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 49.2 litres of liquor from a motorcycle. 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 motorcycle and he came to be implicated by police in a mechanical manner, when petitioner admittedly is a person with clean antecedent.

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 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 Kaluahi P.S. Case No. 58/2022, corresponding to G.R. No.680/2022, 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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