

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12733 of 2025

Arising Out of PS. Case No.-1013 Year-2024 Thana- RAMKRISHNANAGAR District-
Patna

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Golu Kumar S/o- Surendra Yadav @ Surendra Ji @ Surendra @ Surendra Ji
Yadav @ Surendra Singh R/o- Sheikhpura Ps- Ramkrishna Nagar Dist- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2025 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 30(a),
32(2), 32(3) and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of six cases and allegation is of
recovery of 560 litres of liquor from an *auto*.

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 vehicle. It is next submitted that he came to be
implicated based on confessional statement of apprehended
accused in police custody which does not have any evidentiary



value. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

5. Learned counsel for the petitioner, at this stage, clarifies that in the anticipatory bail application at para-3 only one antecedent is pleaded, but then a supplementary affidavit has been filed today, in which other five antecedents of the petitioner stands recorded.

6. The supplementary affidavit is taken on record.

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

8. 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 Ramkrishna Nagar P.S. Case No. 1013 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. 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 only six cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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