

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10983 of 2025

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

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1. Md. Saddam @ Md. Saddam Hussain S/O Md. Akhtar R/O Villge- Muraith, P.S- Arer, Distt.- Madhubani.
 2. Md. Rahmat Tulla S/O Md. Haijaj R/O Villge- Muraith, P.S- Arer, Distt.- Madhubani.
 3. Md. Akhtar S/O Md. Ishak R/O Villge- Muraith, P.S- Arer, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Advocate General Bihar Patna

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their 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 petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 49.2 litres of liquor from a motorcycle. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and



are not the owners of the seized motorcycle and they came to be implicated by police in a mechanical manner, when petitioners admittedly are persons with clean antecedent.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 petitioners and in the event if it is found that petitioners have 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 petitioners are persons with clean antecedent, in that event the provisional



anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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