

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16606 of 2025

Arising Out of PS. Case No.-302 Year-2021 Thana- BELHAR District- Banka

Daya Shankar Singh S/o- Rajendra Kumar Singh Village- Near Vivek sil
Vidya Mandir west Modidin colony PS- Tetulamari, Dist- Dhanbad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
30(a) , 32(2) of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 252 liters of liquor from a Car.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. He came to be
implicated based on fact that he is owner of the seized Car. It is
next submitted no prudent person would use his own vehicle for
committing an occurrence and thus would create the evidence



against himself and hence would get implicated. It is also submitted petitioner was completely unaware that Raushan Kumar and Sahil Kumar would misuse the vehicle in the manner as alleged who were also apprehended in the spot.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on **provisional anticipatory bail** on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II Banka-cum-Special Judge Excise Court-I, Banka in connection with Belhar P. S. Case No. 302 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present provisional anticipatory bail order shall not be



confirmed, but if on verification, it is found that petitioner has clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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