

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13632 of 2025

Arising Out of PS. Case No.-1092 Year-2019 Thana- AGAMKUAN District- Patna

Prithvi Raj Son Of Mithilesh Prasad Resident Of Village-Gali Ghera Par,
Police Station-Agamkuan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 14-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The supplementary affidavit has been filed on behalf of
the petitioner which has been kept on record.

3. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

4. As per the prosecution case, the recovery is of 10.5
liters of foreign liquor which was recovered from the ancestral
house of the petitioner.

5. Learned counsel for the petitioner submits that the
recovery has been made from a house which was found locked
and neither the petitioner nor his family members were staying
in the old house and nor were they present at the time of the said
recovery. Hence in such view of the matter no recovery has been



made from his physical and conscious possession of the petitioner.

6. The learned APP for the State however opposes the prayer for anticipatory bail on the ground that the petitioner has two criminal antecedents of the same nature, in response to which it has been pointed out that in the supplementary affidavit the petitioner has disclosed that he is on bail in both the cases.

7. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City in connection with Agamkuan P.S. Case No.1092 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the



Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

Raj Ranjan/-

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