

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14578 of 2025

Arising Out of PS. Case No.-51 Year-2018 Thana- AURAI District- Muzaffarpur

Neelmani Kumar @ Sonu Kumar S/o Ram Naresh Kumar @ Naresh Rai @
Ram Naresh Roy @ Ram Naresh Ray Resident of village- Korlahiya, P.S.-
Runi Saidpur, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2025 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 272 and
273 of the Indian Penal Code and Sections 30(a), 38 and 41 of
the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and 44.28 litres of liquor is
alleged to have been recovered from a car and a motorcycle was
also seized along with the car. Further, 7.785 litres of liquor is
alleged to have been recovered from the house of Nagendra Rai.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged



recovery is from a house which does not belong to the petitioner and petitioner is not the owner of any of the seized vehicles and he came to be implicated at the instance of the Chawkidar and local villager. It is further submitted that the police in a mechanical manner implicate without holding a proper investigation of the case either at the instance of the Chawkidar, local person, confessional statement or secret information.

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

6. Considering the submissions made by the learned counsel for the petitioner, let 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Aurai P.S. Case No. 51 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than one case



in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

