

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15821 of 2025

Arising Out of PS. Case No.-1970 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Jitendra Kumar Son of Hardev Bhagat Resident of Village - Daudpur, P.S. -
Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Nitu Kumari

For the Opposite Party/s: Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 Heard Mrs. Nitu Kumari, learned counsel appearing on behalf of the petitioner and Mr. Syed Mojibur Rahman, learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that the petitioner is a man of clean antecedent and allegation is of recovery of 1656 liter of liquor from a place adjacent to the house of Anshu Singh.

4. It is next submitted that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner. It is next submitted that peti-



tioner came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted police implicates in mechanical manner without holding proper investigation either at the instance of *chaukidar*, local people, confessional statement or secret information. The petitioner admittedly is a person with clean antecedent.

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, 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.500/- (Rupees Five Hundred) 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 Muzaffarpur Utpad Thana (Excise P.S.) Case No.1970 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. 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 any criminal antecedent in that event the provisional anticipatory bail order shall not be



confirmed, but after verification if it is found that petitioner has
no criminal antecedent in that event the provisional anticipatory
bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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