

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19946 of 2025**

Arising Out of PS. Case No.-24 Year-2025 Thana- SANDESH District- Bhojpur

Alakh Kumar S/o- Biteshwar Chaudhary Village- Akhgaon Ps- Sandesh Dist-  
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      23-04-2025                      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 offence punishable under Section 30(a) of  
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 18 litres of liquor from cow-shed of Tapeswar  
Chaudhari and 2.250 litres of liquor from a car. It is next  
submitted that petitioner was not arrested from the spot as such  
nothing was recovered from his conscious possession and he  
came to be implicated being owner of the car. It is next  
submitted that no prudent person would use his own vehicle for  
committing an occurrence and thus would create evidence



against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Samsheer would misuse his vehicle in the manner as alleged, who was also apprehended from the spot. It is also submitted that petitioner has no concern with Tapesheer Chaudhary.

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

5. 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 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 Sandesh P.S. Case No. 24/2025, 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 petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the



provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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