

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19643 of 2025**

Arising Out of PS. Case No.-168 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Rakesh Kumar S/O Lalu Ray @ Laloo Rai Resident of Village- Aadan  
Chhapara, P.S.- Garha O.P., Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Nitu Kumari

For the Opposite Party/s : Ms. Sucheta Yadav

**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 Sections 30(a), 41 of  
Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 1350 litres of liquor from a pick-up van. It is next  
submitted that petitioner was not arrested from the spot as such  
nothing was recovered from his conscious possession and is not  
the owner of the seized vehicle and he came to be implicated at  
the instance of local people but then the name of the person who  
disclosed the name of the petitioner is not disclosed in the F.I.R.,  
which casts an aspersion on the case of the prosecution.
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 Ahiyapur P.S. Case No. 168/2025 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 for obtaining anticipatory bail 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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