

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18993 of 2025**

Arising Out of PS. Case No.-42 Year-2023 Thana- MANIGACHI District- Darbhanga

Md. Guddu Kuresi S/O Md. Mustaq Kuresi Resident of Mohalla- Sahsupan,  
P.O- Lalbagh, P.S- Laheriasarai, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Shah Nawaz Ali, Advocate  
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

**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 the  
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 6899.655 litres of  
liquor from a truck, pickup vehicle and a motorcycle as detailed  
in the FIR.

5. Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is further submitted  
that petitioner came to be implicated being the owner of the  
seized motorcycle. 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 next submitted that petitioner had earlier sold the motorcycle to Bablu Thakur on 01.03.2022 much earlier to the occurrence dated 22.02.2023. It is also submitted that Bablu Thakur had put his signature over the sale letter on 01.03.2022. It is reiterated and submitted that petitioner is a person with clean antecedent.

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

7. 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.500/- (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 Manigachhi P.S. Case No. 42 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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 even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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