

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27157 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- BELA District- Sitamarhi

=====

Bipin Kumar Son of Shivdev Raut Village- Sirsiya Bazar PS- Bela Dist
-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Ravindra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2025 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.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases under the excise cases
and allegation is of recovery of 351 litres of liquor from a
Hyundai car. 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 chowkidar. It is next
submitted that once an accused is implicated in a case relating to
excise, the police starts implicating mechanically without proper



investigation either through chowkidar, local person, confessional statement or secret information.

4. Learned A.P.P. Mr. Ravindra Kumar 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.15000/- (Rupees fifteen thousand) 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 Bela P.S. Case No.225/2024, 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 more than three cases, 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 has antecedent of three cases, in that event the provisional anticipatory bail order shall



be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

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

