

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24511 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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Pawan Singh S/o Kailash Singh R/o Vill- Alamnagar, Ward No.11, P.S -
Alamnagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr Sanjay Kumar Singh
For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-05-2025 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 offences punishable under Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 114.060 liters of liquor from a hut and Rana along
with Nandan were apprehended and who disclosed that hut
belongs to the petitioner.
4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that it has been specifically



pleaded and asserted at Para-8 of the anticipatory bail application that the hut does not belong to the petitioner. It is further submitted that the name of the petitioner transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is also submitted that police investigates mechanically when a case relating to excise is instituted.

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 Udakishunganj Excise P.S. Case No. 39 of 2025 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned Trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the criminal antecedent of the petitioner



and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail shall not be confirmed, but in the event if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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