

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25047 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Pahelja P.S. District- Saran

SANJAY KUMAR S/O LALAN SINGH R/o vill - Kashipur Chak Bibi, P.S.-
Biddupur, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-05-2025 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. The learned counsel for the petitioner, at the outset,
submits that inadvertently at Para-3 of the anticipatory bail
application, it has been pleaded that petitioner is a person with
clean antecedent when petitioner has antecedent of two cases,
thus, seeks permission to make rectification at Para-3 of the
anticipatory bail application.
4. Permission is accorded.
5. Learned counsel for the petitioner next submits that
petitioner has antecedent of two cases and allegation is of



recovery of 4942.08 liters of liquor from a truck.

6. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized truck. 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 the truck is used for commercial purpose and petitioner was completely unaware that his driver and Khalasi would misuse the vehicle in the manner as alleged.

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

8. 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. 10,000/- (Rupees Ten 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 Pahaleja P.S. Case No. 01 of 2025 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

9. 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 more than two cases 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 has antecedent of two cases only in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

Rishabh/-

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

