

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28458 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- BELDOUR District- Khagaria

Vikash Kumar S/o Umesh Singh Resident of village- Parariya, Banni Vasa,
ward no 9, PS- Sonbersa, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 07-05-2025 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, 2018.
3. Learned counsel for the petitioner submits that petitioner has antecedent of five cases and allegation is of recovery of 137 litres of liquor from two motorcycles. 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 any of the seized vehicles and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that since the petitioner has antecedent as such the police in a mechanical manner implicated the petitioner.
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.25000/- (Rupees twenty five 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 Beldaur P.S. Case No.147/2024, 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 five 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 five cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

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

