

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28427 of 2025

Arising Out of PS. Case No.-224 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Malu Kumar @ Manish Kumar Son of Govind Paswan Resident of Village -
Mishripur, P.S.- Sasaram (M), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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 offences punishable under Sections 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation
is of recovery of 34.2 litre of liquor along with a
motorcycle from the place of occurrence and Vipin was
arrested.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing
was recovered from his conscious possession and is not
the owner of the motorcycle and came to be implicated



based on confessional statement of Vipin in police custody which does not have any evidentiary value.

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 Sasaram (M) P.S. Case No. 224 of 2022 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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