

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38094 of 2025

Arising Out of PS. Case No.-93 Year-2023 Thana- DHANKUND District- Banka

Suraj kumar S/o Sadanand Mandal Village- Chandsuri Tola, PS- Chausa,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 20-11-2025 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 (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that the case was taken up on 01.09.2025, when a report was called from the I.O. of the case with regard to the sale letter of the vehicle.

4. Learned APP submits that he has received the report and from the report it appears that petitioner is the owner of the vehicle but then the learned APP submits that petitioner is claiming that he has sold the vehicle to Muntun Singh and the police has issued notice to Muntun but Muntun is not appearing and the petitioner has handed over the letter of the sale deed of



the vehicle.

5. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 36 litres of liquor from a car. It is next submitted 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 vehicle. 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 since petitioner has already sold his vehicle as he has no concern with the same but then police in a mechanical manner implicated him.

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

7. 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.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 Dhankund P.S. Case No.93/2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. 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 even one case, 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 is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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