

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45190 of 2025

Arising Out of PS. Case No.-220 Year-2022 Thana- JAYNAGAR District- Madhubani

Reyaz Ahmad S/o Abdul Wahit Resident of Village- Paighamberpur, P.O-
Darima, P.S.- Keoti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 17-12-2025 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 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 585 litres of liquor from four motorcycles.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the fact that he is owner of one of the seized motorcycles. It is next submitted that motorcycle of the petitioner was stolen prior to the occurrence



for which he had instituted a case in the police station on 29.05.2022 but then no FIR was instituted, as such, he filed a petition in the Court of learned Chief Judicial Magistrate, Madhubani on 02.09.2022 but still no action was taken. It is reiterated and submitted that petitioner was not apprehended from the spot. It is also 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.

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, let 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 Jaynagar P.S. Case No. 220 of 2022 corresponding to G.R. No. 1189 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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