

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54766 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- BHAIKAVSHTHAN District- Madhubani

Pappu Kumar @Pappu Kumar Ray S/o Ram Sagar Ray Resident of Village.-
Madhubani, P.S.- Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 04-11-2025 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 offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the case was taken up on 26.09.2025, when case diary was called for, but the original case diary has not come rather the supplementary case diary has been sent.
4. The Court will not wait endlessly for the case diary.
5. It is next submitted that petitioner is a person with clean antecedent and allegation is of recovery of 1089 liters of liquor from a pick-up vehicle.
6. Learned counsel for the petitioner submits that



petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle rather he came to be implicated based on the fact that registered owner of the vehicle took a plea that documents were getting prepared for transferring the vehicle to the petitioner and the petitioner had already sought delivery of the vehicle. It is next submitted that the said plea was taken only to hoodwink the law.

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. 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 Bhairavshthan P.S. Case No. 62 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. It is made clear that thereafter the learned Trial Court 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 order shall not be confirmed, but after verification if 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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