

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51763 of 2025

Arising Out of PS. Case No.-258 Year-2023 Thana- DURAULI District- Siwan

Vikash Kumar Son of Pannalal Prasad @ Pannalal Resident of Village -
Asaon, Police Station - Asaon, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 41(i) of the Bihar Prohibition & Excise Act, 2018 in connection with Darauli P.S. Case No. 258 of 2023.

3. Learned counsel for the petitioners submits that the petitioner is a person with clean antecedent and allegation is of recovery of 120 liters of liquor from a bag along with a motorcycle and three accused were 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. It is further submitted that petitioner being owner of the seized motorcycle came to be



implicated. It is further 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 reiterated and submitted that petitioner is a person of clean antecedent.

5. Learned APP 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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs. 500/- (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 Darauli P.S. Case No. 258 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. 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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