

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55978 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- PANDAUL District- Madhubani

Amarjit Kumar son of Sogarat Ray Resident of village- Bishanpur PS -Katra
District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 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 Sections 30(a), 36, 38(1) and 41(1) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the case was taken up on 01.11.2025 when a report was called from the I.O. but the same till date has not been received. The Court will not wait endlessly for a report.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 1482.480 litres of liquor from a truck. 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 would get implicated. It is also submitted that the petitioner was completely unaware that his driver would misuse his vehicle in the manner as alleged.

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 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 Pandaul P.S. Case No.31/2025, corresponding to G.R. No.183/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. 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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