

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56393 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

=====

Rajjak Ansari S/O Md. Nasimuddin Anasri R/O Village- Manjhali Tand,
Masjid Ke Samne, P.S- Nawadih, Distt.- Okaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.Narendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2025 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 61(2) of
BNS, Sections 30(a), 32 and 41 of the Bihar Excise Act and
Sections 25 (1-AA), 25(1-b)a, 26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 794.625 litres of liquor from a Haiva and one Vijay
Rajak was apprehended from whose possession two country-
made pistol along with 29 live cartridges were recovered.

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 and he came to be implicated in the instant case only for the reason that he is owner of the seized Haiva. 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 further submitted that petitioner has no relation with Vijay Rajak rather it appears that the driver of the Haiva gave lift to him. It is also submitted that even recovery of country-made pistol along with 29 live cartridges is from Vijay Rajak. It is next submitted that Vijay Rajak also has not disclosed the name of the petitioner during the course of investigation.

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 and taking into consideration the fact that petitioner is a person with clean antecedent, 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 Nawkothi P.S. Case No. 09 of 2025, 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)

Sumit/-

U		T	
---	--	---	--

