

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59047 of 2025

Arising Out of PS. Case No.-498 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Janakdhari Kumar @ Janakdhari @ Janjali Ray S/O Ramjanam Ray Resident
of Village- Dharmapur, P.S- Gaya Bridge, Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 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 23.09.2025, when case diary was called for, but the same till date has not been received.
4. The Court will not wait endlessly for the case diary.
5. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and allegation is of recovery of 1860 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 and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that if *Chowkidar* was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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. 10,000/- (Rupees Ten Thousand) 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 Hajipur Sadar P.S. Case No. 498 of 2025 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 more



than two cases 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 has antecedent of two cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Rishabh/-

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

