

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61287 of 2025**

Arising Out of PS. Case No.-248 Year-2022 Thana- WARISNAGAR District- Samastipur

Sanjeev Kumar S/O Ramwali Mahto @ Ramavali Mahto @ Ramballi Mahto
R/O Ward No.12, Pachrukhi, Ratanpur Bela, P.S.- Karpoorigram, Dist.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh
For the Opposite Party/s : Mr. Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 29-08-2025 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 Sections 30(a), 41(2) (1), 32(2), 32(3) of Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 1963.920 litres of liquor from a truck, further Chandan and Munna, who were escorting the truck on motorcycle were apprehended. The learned counsel submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized truck and he came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.
4. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

5. 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 Warisnagar P.S. Case No.248/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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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