

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69379 of 2025

Arising Out of PS. Case No.-258 Year-2025 Thana- EXCISE PUPRI District- Sitamarhi

Dhirendra Kumar S/o Yadunandan Rai R/o village - Shankarpur, Ward no. 5,
P.S - Sursand, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-12-2025 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 Section 30(a) 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 218.1 litres of liquor from semi constructed house of the petitioner. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and the alleged recovery is from a semi constructed house. It is next submitted that petitioner is not staying in the house as it is under construction and thus it appears that someone inimical to the petitioner concealed the



liquor with a view to implicate him. It is next submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that investigation in the case against the petitioner is still continuing.

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 Excise P.S. Pupri Case No.258/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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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