

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74385 of 2025

Arising Out of PS. Case No.-297 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Gauravpal @ Gaurav Pal S/o Krishan Pal Resident of Block- B179, Third
Floor Naraina Vihar, P.S.- Naraina Vihar, South West Delhi- 110028 Adhar
No. 4472 9995 7815

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 272, 273, 419, 420 of
the Indian Penal Code and Sections 30(a), 32, 41 and 47 of the
Bihar Prohibition & Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 2651.4 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 truck. It is next submitted that no prudent person would



use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated and, at the same time, shall bring disrepute to his business. It is also submitted that petitioner was completely unaware that Vikash Sharma would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Maniur Rahman.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge (Excise)-I, Kishanganj in connection with Kochadhaman P.S. Case No.297 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner 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 obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present 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)

Sanjay/-

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