

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73152 of 2025

Arising Out of PS. Case No.-62 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

Kuldip Sharma @ Rakesh Kumar S/o Dhaneshwar Thakur @ Dhanesar
Sharma R/o Village - Fulwariya, P.S - Rajauli, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. Binod Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 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 47(A) and
(F) 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 180 litres of liquor along with 1000 kilogram of
fermented Jawa Mahua from the 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 house in question is a joint family property as such it cannot
be alleged with certainty that it was petitioner, who had kept the



liquor and Jawa Mahua in the house or the liquor and Jawa Mahua kept in the house was within his knowledge and he came to be implicated based on secret information which is the easiest way to implicate someone.

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 G.O. Case No.62/2013, 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)

amit/-

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

