

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75683 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- KADIRGANJ District- Patna

Sudarshan Ram S/O Luvkush Ram R/O Vill.-Kushvan, Bir, P.S-Dhanarua,
Dist- Patna, Pin- 804451.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2025 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 36 litres of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated based on the confessional
statement of co-accused, namely, Mukesh Kumar in police
custody which does not have any evidentiary value in the eye of
law. It is next submitted that petitioner is not the owner of the



motorcycle but Mukesh Kumar falsely stated before the police that he had sold the motorcycle to the petitioner but then no documentary evidence in support of the same was produced.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let 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.5,00/- (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 Kadirganj P.S. Case No. 10 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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