

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76602 of 2025

Arising Out of PS. Case No.-509 Year-2024 Thana- PIRO District- Bhojpur

Rahul Dev @ Rahul Deo Son of Rajeshwar Singh Resident of Villlage-
Madarahan, P.S.- Charpokhari, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Ms. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2025 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
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
inadvertently at Para-3 of the anticipatory bail application it has
been pleaded that petitioner has antecedent of two cases when
he has antecedent of four cases. It is also submitted that
antecedent of the petitioner has been brought on record by way
of supplementary affidavit and the online copy has been filed
today. It is next submitted that allegation is of recovery of 100
litres of liquor from a motorcycle. 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 vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that his friend would misuse his vehicle in the manner as alleged who was also apprehended from the spot.

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.20,000/- (Rupees twenty thousand) 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 Piro P.S. Case No.509/2024, 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 more than four cases, 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 has antecedent of four cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. The supplementary affidavit is taken on record.

(Satyavrat Verma, J)

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