

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.74566 of 2025**

Arising Out of PS. Case No.-202 Year-2025 Thana- BAJPATTI District- Sitamarhi

Dinesh Kumar Son of Upendra Bhagat Resident of Village - Ratanpura, P.S.-  
Bajpatti, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Ms. Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

- 2      11-11-2025                      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 (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of recovery  
of 13.2 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 is not the owner of  
the seized vehicle and he came to be implicated at the instance of  
chowkidar. It is also submitted that police does not investigate the  
case properly and implicates mechanically either at the instance of  
chowkidar, local person, secret information or confessional  
statement.
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.5000/- (Rupees five 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 Bajpatti P.S. Case No.202/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C/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 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 has antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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