

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75874 of 2025

Arising Out of PS. Case No.-278 Year-2025 Thana- Excise P.S. District- Siwan

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Prem Kumar @ Munna Pandit S/o- Rajavanshi @ Rajvanshi Pandey Resident
Of Village- Usri Buzurg, Ps- Hasanpura, Dist-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Ms. Dr. Indihar Kumari

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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 Sections 30(a), 32(3)
of Bihar Prohibition and Excise Act, 2016 Amended 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of
recovery of 9 litres of liquor from dickey of 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.

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.15000/- (Rupees fifteen 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 Siwan Excise P.S. Case No.278/2025, 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 three 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 three



cases, in that event the provisional anticipatory bail order shall
be confirmed forthwith.

(Satyavrat Verma, J)

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