

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75853 of 2025**

Arising Out of PS. Case No.-712 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Rohit Kumar @ Banta S/o Ram Kumar Das Resident of Village- Ismailpur,
P.S- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar

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 offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases and allegation is of recovery of 75 litres of liquor from a plastic bag kept on 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 since the petitioner has antecedent as such chowkidar falsely implicated the petitioner to save the real culprit.
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 Hajipur Sadar P.S. Case No.712/2025, 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 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.

(Satyavrat Verma, J)

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