

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78673 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- CHIHARA District- Jamui

Adam Hussain S/O Md. Yusuf Ali R/O Village- Lal Bazar, P.S and Distt.-
Giridih, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The defects, as pointed out by the office, are
ignored in view of the prayer made by the learned counsel
appearing on behalf of the petitioner.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a) and
32 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 243 litres of liquor from Scorpio.

5. 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 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 petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged who also fled from the place of occurrence.

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

7. 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.500/- (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 Chihra P.S. Case No. 65 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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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