

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76619 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- DALMIYA NAGAR SAHAYAK
District- Rohtas

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1. Dhanjee Gupta @ Dhanjee Kumar S/o- Satyendra Gupta @ Satyendra Prasad @ Bablu Kumar Gupta R/o Village-Gangauli, P.S.- Dalmianagar, Dist- Rohtas (Bihar)
 2. Babloo Gupta @ Bablu Kumar Gupta S/o- Vishwanath Gupta @ Bishwanath Prasad Gupta R/o Village-Gangauli, P.S.- Dalmianagar, Dist- Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad
For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-11-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioners submits that
petitioner no.1 is a person with clean antecedent and petitioner
no.2 has antecedent of one case and allegation is of recovery of
10 litres of liquor from a sack along with a motorcycle. It is
next submitted that petitioners were not arrested from the spot
as such nothing was recovered from their conscious possession
and are not the owners of the seized motorcycle and they came



to be implicated at the instance of villager but the name of the person who disclosed the name of the petitioners is not disclosed in the FIR, which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Dalmiyanagar P.S. Case No.193/2025, 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 petitioners and in the event if it is found that petitioner no.1 has antecedent of even one case and petitioner no.2 has antecedent of more than one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the



provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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