

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75862 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- RAJPUR District- Rohtas

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Jitendra Ram S/o Moderan Ram R/o Vill- Pakdi, P.S.- Rajpur, Distt- Rohtas at
Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad

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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 Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of
recovery of 25 litres of liquor from Dalan of petitioner. It is
next submitted that petitioner was not arrested from the spot as
such nothing was recovered from his conscious possession and
dalan is a place outside the house and thus is accessible to
villagers at large. It is also submitted that no prudent person
would use his own premises for committing an occurrence and
thus would create evidence against himself and hence would get



implicated. It is also submitted that it appears that someone inimical inimical to the petitioner concealed meager amount of liquor with a view to implicate him and he came to be implicated at the instance of spy since he carries antecedent.

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 Rajpur P.S. Case No.138/2025, 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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