

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80437 of 2025

Arising Out of PS. Case No.-243 Year-2025 Thana- Excise P.S. District- Madhubani

Pawan Kumar Pandey Son of Late Satyanarayan Pandey R/O Mohall -
Kishori Lal Chowk, Ward No.- 11, Police Station - Town, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2025 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 four cases and allegation is of
recovery of 269.85 litres of liquor from a room of temple
campus. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession even alleged recovery is from a place which does not
belong to the petitioner and is accessible to public at large but
then he came to be implicated at the instance of local person but
then the name of person who disclosed the name of the



petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution. It is also submitted that since the petitioner has antecedent as such the police in a mechanical manner implicated.

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 Sadar Excise P.S. Case No.243/2025, 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 case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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