

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76108 of 2025**

Arising Out of PS. Case No.-104 Year-2025 Thana- DARBHANGA GRP CASE District-
Darbhanga

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Vijay Patti @ Vijay Kumar S/o Kashmira Singh R/o Village - Patti ward no. 2,
P.S. - Tarn Taran, Dist. - Tarn Taran, Punjab Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 18-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition & Excise Amendment Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 36 litres of liquor from Coach No. B-4 of Amritsar
Express. It is next submitted that petitioner was not arrested from
the spot, as such, nothing was recovered from his conscious
possession and he came to be implicated based on the confessional
statement of apprehended accused in police custody which does
not have any evidentiary value.

4. Learned A.P.P. opposes the anticipatory bail
application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-II, Darbhanga in connection with Rail P.S. Case No.104 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found 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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