

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75883 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- GHOSWARI District- Patna

Sikandar Kumar S/o Sukhdeo Mahato R/o Village - Ghoswari, P.S -
Ghoswari, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

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 (Amendment) Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 40 litres of liquor from a motorcycle. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and is not
the owner of the seized vehicle and he came to be implicated
based on the confessional statement of Biranchi in police
custody, which does not have any evidentiary value.
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.5000/- (Rupees five 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 Ghoswari P.S. Case No.106/2025, 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 one case, 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 one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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