

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76618 of 2025

Arising Out of PS. Case No.-1084 Year-2025 Thana- NAGAR District- Vaishali

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1. Govind Kumar S/O Manohar Singh R/O Village- Ghataro , P.S- Kartahan, Distt.- Vaishali.
 2. Vikram Kumar @ Satya Prakash S/O Nand Kishor Singh R/O Village- Ramnagar Ghataro Tola Lalganj, P.S- Kartahan, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Ms. Indu Kumari Srivastava

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 offences punishable under Sections 274, 275, 338, 336(3), 340(2), 318(4), 61(3) and 3(5) of the BNS & Sections 30(f), 30(a), 33 and 36 of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of three cases and allegation is of recovery of 56.5 litres of liquor from the house of Jyoti Kumar. It is next submitted that petitioners were not arrested from the spot as



such nothing was recovered from their conscious possession and even alleged recovery is from the house, which does not belong to the petitioners and they came to be implicated based on the confessional statement of Ankit and Rohit 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 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.15000/- (Rupees five hundred) 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 Hajipur Town P.S. Case No.1084/2025, 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 more than one case and petitioner no.2 has antecedent of more than three cases, 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 has antecedent of one case and petitioner no.2 has antecedent of three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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