

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78187 of 2025

Arising Out of PS. Case No.-366 Year-2025 Thana- Daudnagar Excise District- Aurangabad

Rohit Kumar Son of Ramjeet Mehta Resident of village - Devkali (Devkuli),
P.S.- Obra, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-12-2025 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 offences punishable under Sections 30(a), 30(d) and 32(3) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 33.300 liters of liquor from a room near a brick kiln.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and he came to be implicated at the instance of the local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution.
5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

6. 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 Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Daudnagar Excise P.S. Case No. 366 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court 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 seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if 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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