

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78700 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- VIDYAPATINAGAR District-
Samastipur

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Pashupati Kumar Rai @ Pashupati Kumar S/O Rambadan Rai R/O Vill.-
Sherpur, Ward No. - 15, P.S. Vidyapati Nagar, District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra
For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-12-2025 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 (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 291.68 litres of liquor from hut of the petitioner. It
is next submitted that petitioner was not arrested from the spot
as such nothing was recovered from his conscious possession
and the alleged recovery is not from the hut but from a bathan
and bathan is a place outside the house and the same does not
belong to the petitioner and he came to be implicated based on



secret information which is the easiest way to implicate someone without holding a proper investigation.

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 Vidyapati Nagar P.S. Case No.114/2025, 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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