

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83602 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- HASPURA District- Aurangabad

Vikash Kumar @ Ravi Kumar S/O Awadhesh Yadav @ Awadhesh Singh
Village - Chanhath PS - Haspura District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-04-2025 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) and
30(c) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 21 litres of liquor along
with some articles as detailed in the FIR including 500 litres of
Mahua from an island like place within Punpun River.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner



and is accessible to public at large nor petitioner has any concern with the seized articles. It is further submitted that petitioner came to be implicated at the instant of the Chawkidar with home he is on an inimical term. It is next submitted that if Chawkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Haspura P.S. Case No. 19 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if



it is found that petitioner has antecedent of even one case in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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