

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80387 of 2025**

Arising Out of PS. Case No.-354 Year-2025 Thana- PAROO District- Muzaffarpur

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Jitendra Kumar Son of Suresh Rai R/o Village- Chintamanpur, P.S.- Paroo,  
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-12-2025                      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 Section 30(a), 36  
and 34 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of  
recovery of 141.185 liters of liquor from a bush in *diyara* area  
and from a motorcycle.

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 is accessible to public at large and is not the owner of the



seized vehicle and he came to be implicated at the instance of *Chowkidar*, but then it is submitted that if *Chowkidar* 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.

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. 5,000/- (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 Paroo P.S. Case No. 354 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 more than 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 has antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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