

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80287 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Sujeet Kumar S/o Ashok Das R/o Das Tola, Kunwari Devi Chowk, P.S.-
Motihari Town, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey, Advocate

For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2025 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 221,
263A, 262 and 3(5) of the BNS as well as Sections 30(a) and 41
of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 25 litres of liquor from a hut.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is not the owner of the hut and came to be
implicated at the instance of the local persons 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. It is next submitted that petitioner is a student.

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, let 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.10,000/- (Rupees Ten 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 Motihari (Town) P.S. Case No. 237 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 if it is found that petitioner has antecedent of more than two cases, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioner has antecedent of only two cases in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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