

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81027 of 2025

Arising Out of PS. Case No.-577 Year-2025 Thana- VAISHALI District- Vaishali

Raj Kumar S/o Late Mahendra Sahni R/o Village - Salempur, P.S - Lalganj,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2025 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) 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 60 liters of liquor 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 is not the owner of
the seized vehicle and he came to be implicated at the instance of
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, when petitioner
admittedly is a person with clean antecedent.

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 Vaishali P.S. Case No. 577 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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