

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81519 of 2025

Arising Out of PS. Case No.-907 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Kashyap Gupta @ Kashyap Kumar S/o- Anant Gupta S/v- Raman Gas
Agency, Kahra W.No-41, PS - Saharsa Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-12-2025 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 the Bihar Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 14.25 litres of liquor from a shop.
4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and the shop does not belong to the petitioner rather was rented but then the tenancy had come to an end and he came to be implicated based on the secret information which is the easiest way to implicate someone.
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.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 Saharsa Sadar P.S. Case No. 907 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 even one case, 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 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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