

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81824 of 2025

Arising Out of PS. Case No.-381 Year-2023 Thana- BHORE District- Gopalganj

Raju Sriwastav S/o Vikrama Lal Shrivastav R/o- Nadwa, P.S.- Bhore, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) and 41(1) of
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 119.2 litres of liquor from the house of Nirmala
Devi. It is next submitted that petitioner was not arrested from
the spot, as such, nothing was recovered from his conscious
possession and even alleged recovery is from a house which
does not belong to the petitioner and he has no concern or
relation with Nirmala Devi and he came to be implicated at the
instance of Chowkidar with whom he is on an inimical term.



4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-XIII-cum-Special Excise Court No.-I, Gopalganj in connection with Bhore P.S. Case No.381 of 2023, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner 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 obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found



that petitioner has antecedent of only one case, in that event, the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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