

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86930 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- PARWALPUR District- Nalanda

1. Sachin Kumar S/O Late Kamlesh Prasad Resident of village- Milkipar, P.S.- Parvalpur, District- Nalanda
2. Ajit Kumar S/o Late Brahmdev Prasad @ Late Brahmadeve Prasad Resident of village- Milkipar, P.S.- Parvalpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ambrish Kumar, Advocate Mr. Mukul Kumar, Advocate
For the Opposite Party/s	:	Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 30(c) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 30 litres of liquor from from a place near Milkipar Khadha. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and is accessible to



villagers at large and they came to be implicated at the instance of local farmers but the names of the farmers who disclosed the names of the petitioners are not disclosed in the FIR which casts an aspersion on the case of the prosecution when petitioners admittedly are persons with clean antecedent.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-VII-cum-Special Judge, Excise Court, Hilsa, Nalanda in connection with Parwalpur P.S. Case No.180 of 2025, 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 petitioners shall verify the criminal antecedent of the petitioners and in the event,



if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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