

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1882 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- KIUL District- Lakhisarai

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Suman Kumar S/O Jay Narayan Singh Resident of Village- Singhchak P.S.-
Kiul, District Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-02-2025 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 the
petitioner is a person with clean antecedent and allegation is of
recovery of 50 litres of liquor from a motorcycle.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
motorcycle. It is next submitted that no prudent person would use his
own vehicle for committing an occurrence and thus would create
evidence against himself and hence would get implicated, it is further
submitted that petitioner was completely unaware that Rajan would
misuse the vehicle in the manner as alleged, who was also



apprehended from the spot.

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 Kiul P.S. Case No. 71 of 2024, 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 in the event if it is found that petitioner has antecedent of even one case in that event 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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