

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4432 of 2025**

Arising Out of PS. Case No.-235 Year-2024 Thana- AMBA District- Aurangabad

Shambu Kumar @ Shambhu Kumar S/O Naresh Saw @ Naresh Sao R/O  
Vill.- P.S- Amba, Dist.- Aurnagabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

- 2      12-02-2025                      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 offence punishable under Sections 317(5) of  
BNS, 2023.
3. Learned counsel for the petitioner submits that  
petitioner has antecedent of five cases and the informant alleges  
that one Sonu Kumar was apprehended while he was trying to  
escape on his motorcycle, who disclosed that Sunil and this  
petitioner had provided him the motorcycle for supplying illicit  
liquor.
4. The learned counsel for the petitioner submits that  
petitioner has been falsely implicated in the instant case by the  
informant. It is next submitted that petitioner is not even aware  
who Sonu is. It is further submitted that once an accused is  
implicated in a case relating to excise, the police starts implicating  
mechanically.



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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Amba P.S. Case No.235/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than five cases, in that event, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of five cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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