

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1503 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- KALUAHI District- Madhubani

Aaditya Kumar Singh @ Aaditya Kumar Son of Kishore Kumar Singh R/o
Village- P.O. and P.S. Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with G.R. No. 1328 of 2024 arising out of Kaluahi P.S. Case No. 183 of 2024 registered for the offences punishable under Section 3(5) of Bharatiya Nyay Sanhita, 2023 and Sections 41, 47 and 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The learned Counsel submits that the petitioner has antecedent of one case and the allegation is of recovery of 82.8 litres of liquor from an autorickshaw. It is next submitted that the petitioner was not arrested from the spot and as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.

4. Learned A.P.P. for the State opposes the prayer for

anticipatory bail of the petitioner.

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 from today, be released on **Provisional Anticipatory Bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with G.R. No. 1328 of 2024 arising out of Kaluahi P.S. Case No. 183 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, 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 the petitioner has more than one antecedent in that event the provisional anticipatory bail shall not be confirmed, but if on verification if it is found that the petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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