

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9518 of 2026

Arising Out of PS. Case No.-646 Year-2022 Thana- JOKIHAT District- Araria

Farhan @ Farhan Alam S/O Tifluddin @ Md. Tikluddin Resident Of Village-
Turkeli, Ward No. 08, Police Station- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2026 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 379/34 of the Indian Penal Code as well as Section 30(a) 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 3 litres of liquor from a motorcycle. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.



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-bond in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-cum-Exclusive Special Excise Judge-II, Araria in connection with Jokihat P.S. Case No.646 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond 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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