

Arising Out of PS. Case No.-252 Year-2025 Thana- Mehendiya District- Arwal

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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Nityanand Neeraj
For the Opposite Party/s : Mr.Narsingh Tanti

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-03-2026 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 20 litres of liquor from a garbage in front of the door of the petitioner's house and 30 litres of liquor from possession of Sanjay.

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 even the alleged



recovery is from a place which does not belong to the petitioner but then is adjacent to his house and petitioner has no concern or relation with Sanjay and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is next submitted that if the Chowkidar was aware about the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

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 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 Mehendiya P.S. Case No. 252 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

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 then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, 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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