

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12270 of 2026

Arising Out of PS. Case No.-560 Year-2025 Thana- Excise P.S. District- Rohtas

Shivam Kumar @ Golu Kumar S/o Vinod Kumar Singh @ Vinod Singh R/o
vill - Chakiya, P.S.- Dehri Muffasil, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kant, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-02-2026 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 Sections 30(a) and 41 of the Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 1049.640 litres of liquor from a truck.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted that
petitioner is not the owner of the seized vehicle and came to be
implicated at the instance of the local person but then the name of the
person who disclosed the name of the petitioner is not disclosed in
the FIR which casts an aspersion on the case of the prosecution.
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, let 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.1,000/- (Rupees One 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 Sasaram Excise P.S. Case No. 560 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./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 if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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