

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14427 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- SOHSARAI District- Nalanda

Suraj Kumar S/o Chhote Paswan Resident of Village- Paharpura, P.S.-
Biharsharif, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhangi Pandey, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 10 litres of liquor from a Scooty. It is next submitted
that petitioner was not arrested from the spot, as such, nothing
was recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
Scooty. It is next submitted that no prudent person would use his
own vehicle for committing an occurrence and thus, would
create evidence against himself and hence, would get



implicated. It is also submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged, who also fled from the spot.

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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2, Biharsharif, Nalanda in connection with Sohsarai P.S. Case No.01 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

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)

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