

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23351 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- JOKIHAT District- Araria

Ali Hasan Son of Late Budhdhu Resident of Village- Bhagwanpur ward No. 04, P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-04-2026 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 126(2), 115(2), 132, 262, 303(2) and 3(5) of the BNS and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 15 litres of cough syrup from a place behind the house of Nabi Hasan. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that Nabi Hasan was apprehended and thereafter he started raising an alarm, on account of which, people gathered including the female members of the house of



Nabi Hasan and they assaulted the police. It is next submitted that petitioner being brother of Nabi Hasan came to be implicated. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that female members came out of the house to save Nabi Hasan but as far as allegation against this petitioner is concerned, there is no specific allegation against him. It is also submitted that petitioner is a person with clean antecedent.

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 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 Jokihat P.S. Case No.259/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of



even one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification 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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