

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20161 of 2026

Arising Out of PS. Case No.-52 Year-2023 Thana- GUTHANI District- Siwan

Praduman Giri Son of Jagdish Giri @ Feku Giri R/o Belaur Mathiya, P.S.-
Guthani, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2026 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 offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 214.680 litres of liquor from a car and 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 any of the seized vehicle and he came to
be implicated at the instance of local person but then it is
submitted that 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, when petitioner has not been implicated based on secret information. It is also submitted that of late police has started implicating accused in cases relating to excise having criminal antecedent for obvious reason.

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.10,000/- (Rupees Ten 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 Guthani P.S. Case No.52/2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that 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 more than two cases, 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 but if on verification it is found that petitioner has antecedent of two



cases, in that event the provisional anticipatory bail order shall
be confirmed forthwith.

(Satyavrat Verma, J)

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