

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18846 of 2026**

Arising Out of PS. Case No.-441 Year-2024 Thana- DIDARGANJ District- Patna

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Jitu Kumar S/o Late Pappu Prasad R/o Village - Kothiya, P.S - Didarganj,  
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      25-03-2026                      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 Sections 37 and 45 of Bihar Prohibition and Excise Act and Sections 126(2), 115(2), 125, 132 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he received an information that accused Vivek Bhushan in an intoxicated condition was creating ruckus at village Kothiya, Patna and was also assaulting passerby accordingly the police reached the place of occurrence and apprehended Vivek but then 20-30 unknown accused came and tried to free him and even pelted stones at the force.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that Vivek was apprehended and is in judicial custody. It is next submitted that petitioner is a resident of a place where the occurrence took place, as such, when police force came, out of the inquisitiveness, he also came to the place of occurrence to witness the occurrence when he came to be implicated based on confessional statement of Vivek in police custody which does not have any evidentiary value.

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 Didarganj P.S. Case No.441/2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. 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 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 but if on 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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