

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23369 of 2026

Arising Out of PS. Case No.-359 Year-2024 Thana- SIRDALA District- Nawada

Ramkripal Kumar S/o Awadh Yadav R/o Village - Kalinagar Court, P.S -
Mufassil, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shabina Talat, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2026 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 30(a), 37
and 41 of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 240 litres of liquor from the two motorcycles.

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 came to be implicated based on the fact that he is
owner of one of the seized vehicles. 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 Ramesh Singh would misuse the vehicle in the manner as alleged who was also apprehended from the spot. It is further submitted that the vehicle went missing for which an application was filed before the police but subsequently the vehicle was found.

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 appearing on behalf of 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.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 Sirdala P.S. Case No. 359 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, 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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