

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26625 of 2026**

Arising Out of PS. Case No.-32 Year-2026 Thana- GRIYAK District- Nalanda

Md. Waris Khan Son of Md. Samad Khan Resident of Mohalla- Sataua, P.S.-  
Giriyak, District- Nalanda (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ritesh Kumar

For the Opposite Party/s : Mr. Rabindra Kumar

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

2      24-04-2026                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State Mr. Rabindra Kumar.

2. The 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 is a person with clean antecedent and allegation is of  
recovery of 85.5 litres of liquor from a truck. 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 vehicle. 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 and at the same time will bring disrepute to his business. It is thus submitted that the petitioner was completely unaware that Sunny would conceal meager amount of liquor in the truck without the knowledge of the petitioner, who was also apprehended from the spot.

4. Learned A.P.P. 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 Giriyak (Pawapuri) P.S. Case No.32/2026, 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 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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