

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24577 of 2026

Arising Out of PS. Case No.-99 Year-2024 Thana- Bahoranpur District- Bhojpur

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Pawan Tiwary @ Pawan Tiwari S/O Vijay Tiwari R/O Village- Bariswan, P.S-
Shahpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary
For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-04-2026 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 offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 17 litres of liquor from a motorcycle. 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
motorcycle. 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 further submitted that the petitioner was completely unaware that Mithilesh and Chatthu would misuse his vehicle in the manner as alleged, who were also apprehended from the spot.

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 Bahoranpur P.S. Case No.99/2024, 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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