

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29794 of 2026

Arising Out of PS. Case No.-32 Year-2026 Thana- OBRA District- Aurangabad

1. Dhiraj Kumar S/O Tulsi Chaudhary R/o Village - Dhamni, P.S. - Barun, District - Aurangabad, Bihar.
2. Ankit Kumar S/O Gautam Prasad R/V - Dihra, P.S. - Obra, Dist. - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Gaurav

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(c) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 950 kg of jaggery molasses and 70 kg of alum from two different vehicles. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and they came to be implicated based on the fact that petitioner no.1 is owner of the seized tractor



petitioner no.2 is the owner of the seized auto. It is next submitted that no prudent person would use their own vehicle for committing an occurrence and thus would create evidence against themselves and hence would get implicated. It is also submitted that the petitioners were completely unaware that their drivers would misuse the vehicles in the manner as alleged who also fled from the spot.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Obra 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 thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of even one case, in that event, it would be presumed that



petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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