

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35190 of 2026

Arising Out of PS. Case No.-563 Year-2025 Thana- RAJAOLI District- Nawada

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1. Lakhman Rajvanshi S/o Jethu Rajvanshi R/o Village - Mormo, P.S. - Rajauli, Dist. - Nawada.
 2. Prabhu Rajvanshi S/o Munshi Rajvanshi R/o Village - Mormo, P.S. - Rajauli, Dist. - Nawada.
 3. Sidheshwar Rajvanshi S/o Gogo Rajvanshi @ Govind Rajvanshi R/o Village - Mormo, P.S. - Rajauli, Dist. - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 25-06-2026 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 Sections 30(a)(d) of Bihar Prohibition and Excise Act, 2022.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 150 litres of liquor from a place near Phulwariya dam along with 1200 litres of semi prepared Mahua which was destroyed at the spot and 50 litres of liquor from different places as detailed in the FIR. It is next submitted that petitioners were



not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and is accessible to villagers and they came to be implicated at the instance of chowkidar with whom they are on an inimical term. It is also submitted that if chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution, when petitioners admittedly are persons with clean antecedent.

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 Rajauli P.S. Case No.563/2025, 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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