

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42499 of 2026

Arising Out of PS. Case No.-49 Year-2025 Thana- BAHERI District- Darbhanga

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1. Vikram Kumar Singh S/O Late Ram Sevak Singh R/O Village - Korigama, P.S - Baheri, District - Darbhanga
 2. Aman Kumar Rathore S/O Ranjan Singh @ Ranjan Kumar Singh R/O Village - Korigama, P.S - Baheri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 01-07-2026 1. Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad, learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 153.5 litres of liquor from two places i.e. 18 litres of liquor from a motorcycle and 135.5 litres of liquor from an animal shed.
4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession nor the animal shed



belongs to them but then petitioner no. 2 came to be implicated based on the fact that he is owner of the seized vehicle. It is further 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 next submitted that petitioner no. 2 was completely unaware that his friend would misuse the vehicle in the manner as alleged who also fled from the spot and petitioner no. 1 came to be implicated at the instance of the Chawkidar with whom he is on an inimical term. It is also submitted that if the Chawkidar was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let 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 Baheri P.S. Case No. 49 of 2025, 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 petitioners and if it is found that petitioners have antecedent of even one case, it would be presumed that petitioners had concealed their 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 petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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