

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59383 of 2025

Arising Out of PS. Case No.-72 Year-2023 Thana- CHACKMEHSI District- Samastipur

Prabhat Sharma @ Prabhat Kumar Son of Ramsheni Sharma @ Ramshnehi
Sharma @ Ram Snehi Sharma Resident of Village- Purusottampur P.S-
Kalyanpur District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-01-2026 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 offences punishable under Sections 468, 471,
420, 414 and 34 of the IPC and Sections 30(a), 32, 36 and 41 of
the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 5951.880 litres of liquor from five different
vehicles.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of



any of the seized vehicles and he came to be implicated based on confessional statement of Ranjan in police custody which does not have any evidentiary value.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on Provisional anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Chakmehsi P.S. Case No. 72 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after



verification if it is found that petitioner has antecedent of two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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