IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64617 of 2026

CNR No. BRHC010914122026

Arising Out of PS. Case No.-18 Year-2022 Thana- ROSHANGANJ District- Gaya

==========

Aslan @ Aslan Ali Son of Mohammad Ali Resident of 126, Akhtiar Pura (108), P.O.- Paitawas Kalan, District- Charkhi Dadri, Haryana

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Sanchit Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

==========

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 29-10-2026 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 467, 468, 471 and 414 of the Indian Penal Code as well as Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that the case was taken up on 19.09.2026 when a report was called from the concerned Superintendent of Police in repsect of recovery of illicit liquor.

4. The said report till date has not been submitted.

5. The court will not wait endlessly for the report.

6. Learned counsel for the petitioner submits that

WEB COPY

petitioner is a person with clean antecedent and allegation is of recovery of 5068.44 litres of liquor from a truck.

7. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner is not the owner of the seized vehicle and came to be implicated based on the confessional statement of Ram Achal Yadav in police custody which does not have any evidentiary value in the eye of law. It is next submitted that Ram Achal Yadav disclosed three mobile numbers out of which one mobile number was being used by the petitioner but then the same by itself cannot be a ground of implicating the petitioner without holding a proper investigation of the case, when petitioner admittedly is a person with clean antecedent.

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

9. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let 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

WEB COPY

satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Roushanganj (Banke Bazar) P.S. Case No. 18 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

10. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his 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 petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Kundan/-

U		T	

WEB COPY