

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71303 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- SIKARHATTA District- Bhojpur

=====

Pramod Kumar S/O Prayag Singh R/O Village- Jaynagar, P.S- Sarthua, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 20 litres of liquor from a motorcycle. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized vehicle. It is next 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 also submitted that petitioner was completely unaware that Ramji Singh would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Chandeshwar Singh.

4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-2nd, Bhojpur at Ara in connection with Sikarhatta P.S. Case No.80 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, then it would be presumed that petitioner for the purposes of



obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

