

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72422 of 2025**

Arising Out of PS. Case No.-460 Year-2025 Thana- SONEPUR District- Saran

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Mohit Son of Balraj Singh R/o Village - Nasirpur Cholka, P.O. - Khanda, P.S.  
- Kharkhoda, Dist. - Sonipat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate  
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      07-01-2026                      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 offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 3067.56 litres of liquor from a truck and three  
different vehicles as recorded in the FIR.

4. 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 came to be implicated based on the fact that he is  
owner of one of the seized vehicles. 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 and at the same time shall bring disrepute to his business when petitioner admittedly is a person with clean antecedent. It is also submitted that petitioner was completely unaware that Jitendra Kumar would misuse the vehicle in the manner as alleged in connivance with Upendra Kumar, Pankaj Kumar, Prahalad Kumar, Harendra Rai and Bittu Kumar who were also arrested from the place of occurrence.

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, let 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.500/- (Rupees Five Hundred) 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 Sonapur P.S. Case No. 460 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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)**

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