

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74243 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- BHORE District- Gopalganj

Ashok Singh S/o Mahant Singh R/o Village - Lamichaur, P.S - Bhore, District
- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-01-2026 1. Heard learned counsel for the petitioner as well as learned APP for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 279 liters of liquor from a car.
4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated at the instance of Chowkidar but then it is submitted that if chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the



police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution. It is next submitted that it appears that the Chowkidar in order to save the real culprits falsely implicated the petitioner.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on provisional bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XIII-CumSpecial Judge, Excise-I, Gopalganj in connection with Bhore P.S. Case No.38 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court thereafter shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found 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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