IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75491 of 2026

CNR No. BRHC011095122026

Arising Out of PS. Case No.-27 Year-2022 Thana- DUMARIAGHAT District- East Champaran

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Suraj Kumar Son of Jilu Garauli Resident of Village - Panchgaw, P.S. - Haiderganj, District - Faijabad (Ayodhya), U.P.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sugandh Saurabh, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 28-10-2026 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 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 77.76 litres of liquor from a car.

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 is not the owner of the seized vehicle and came to be implicated with an allegation that he is the driver of the

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vehicle. It is next submitted that petitioner asserts and submits that petitioner is not the driver of the vehicle. It is reiterated and submitted that petitioner is a person with clean antecedent.

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 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 satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Dumariyaghat P.S. Case No. 27 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.

7. 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

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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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