

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84504 of 2025

Arising Out of PS. Case No.-140 Year-2023 Thana- DUMRA District- Sitamarhi

Golu Kumar Son of Lalan Rai Resident of Village- Vishunathpur, P.S.-
Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code as well as Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedents of two cases and allegation is of recovery of 18 litres of liquor from a motorcycle, 36 litres of liquor from a Scooty and 168 litres of liquor from a mango orchard of Upendra Thakur. 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 motorcycle. 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. It is also submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged.

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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-I, Sitamarhi in connection with Dumra P.S. Case No.140 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is



found that petitioner has antecedents of more than two cases, 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 antecedents of only two cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.2500/- with Lawyers' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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