

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89810 of 2025

Arising Out of PS. Case No.-303 Year-2025 Thana- Daudnagar Excise District- Aurangabad

Md. Sajeed S/O Nafu Miya R/O Village- Kara, P.S- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Tiwari, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2026 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 Sections 30(a), 30(c), 30(d), 32(3), 41(a) and 41(b) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 280 litres of spirit along with 4.68 litres of liquor from a closed rice mill godown. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner. It is further submitted that petitioner is not the owner of the godown and came to be implicated based on secret information



which is the easiest way to implicate someone without holding a proper investigation, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Special Judge-II Ind Excise, Aurangabad in connection with Daudnagar Excise P.S. Case No.303 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 even 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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

