

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1451 of 2025

Arising Out of PS. Case No.-312 Year-2023 Thana- DORIGANJ District- Saran

Raju Chaudhary Son of Late Mohan Chaudhary Resident of Village - Chirand
Near Durga Mandir, P.S. - Doriganj, District - Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 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 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 12.400 litres of liquor from a sack at Tiwari ghat. 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 and is accessible to public at large and he came to be
implicated at the instance of villagers but then the name of the
villagers who disclosed the name of the petitioner is not disclosed
in the F.I.R., which casts an aspersion on the case of prosecution.



4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 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 Doriganj P.S. Case No.312/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that thereafter the learned trial court shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, 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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