

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8508 of 2025

Arising Out of PS. Case No.-589 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Ramdev Chaudhry, S/O Late Kishun Choudhary R/O - Govindpur Dih, P.S-
Govindpur, Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha
For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Section
47(A) of the Excise Act.
3. The learned counsel for the petitioner, at the outset,
submits that the petitioner has antecedent of two cases. It is fairly
submitted that the case is of the Year 2014 and allegation is of
recovery of 240 litres of liquor along with 14 kg. of jawa mahua
from a place west of Sakri river.
4. The learned counsel for the petitioner submits that
petitioner was completely unaware that he has been implicated in
the instant case as the petitioner was not involved in the case. It is
further submitted that a specific pleading to this effect has been



made at Para-9 of the anticipatory bail application wherein it has been pleaded that on the eve of Dushehra of 2024, the petitioner came to know that the police is trying to arrest him in a case, thereafter he inquired when he came to know about the institution of the instant case. It is also submitted that till date, no process under Sections 82 and 83 Cr.P.C. has been issued which amply demonstrates that even police was not interested in pursuing the case. It is next submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond.

5. Learned A.P.P. 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 anticipatory bail** on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-II, Nawada in connection with G. O. Case No.589 of 2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before



accepting the provisional anticipatory bail bonds of the petitioner shall verify whether any process under Sections 82 and Section 83 Cr.P.C. has been issued against the petitioner or not and in the event, if it is found that process under Sections 82 and 83 Cr.P.C. has been issued against the petitioner, in that event, the provisional anticipatory bail bonds of the petitioner shall not be accepted, but if the same has not been issued, the provisional anticipatory bail bonds of the petitioner shall be accepted.

9. It is further made clear that the learned trial Court before accepting the 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 more than two cases, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of only two cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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