

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12862 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- EXCISE PATORI District- Samastipur

Halendra Choudhary @ Halindar Choudhary S/O Harinath Choudhary
Resident of Vill.- Mokhtiyarpur Salkhanni, P.S- Dalsingsarai, Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-04-2025 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 Amendment Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 81 litres of liquor from a jungle and 3 litres of liquor
from a motorcycle. 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 petitioner is not the owner of the seized motorcycle
and he came to be implicated based on secret information which is
the easiest way to implicate someone.



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 Patori P.S. Case No.134/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court thereafter 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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