

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14891 of 2025

Arising Out of PS. Case No.-196 Year-2024 Thana- JANTA BAZAR District- Saran

Bittu Chaudhary @ Bittu Kumar S/o Lallan Chaudhary R/o vill - Dayalpur,
P.S.- Janta Bazar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirtunjay Kumar Tiwary
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2025 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 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 16 litres of liquor from a place
behind the house of Sipahi Chaudhary and 14 litres of liquor
from a field.

4. The learned counsel for the petitioner submits 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 Chaukidar, but then, if Chaukidar was aware of the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which cast an aspersion on the case of the prosecution.

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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Third Exclusive Special Excise Judge, Saran at Chapra in connection with Janta Bazar P. S. Case No.196 of 2024, 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 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, 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)

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