

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17304 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- BANGARA District- Samastipur

1. Arun Chaudhari Son of Ashok Chaudhari Village- Rahimabad PS -NH Bangra Distt -Samastipur
2. Sanoj Chaudhari Son of Punni Chaudhari @ Lakshman Chaudhary Village- Rahimabad PS -NH Bangra Distt -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners have antecedent of three cases and the allegation is of recovery of 06 litres of liquor from a bush behind the house of petitioner no.2, 02 litres of liquor from a place behind the house of Umesh Chaudhary. Further, 02 litres of liquor from a place behind the house of petitioner no.1 and 02 litres of liquor from the house of Vikash Kumar, as such, 12 litres of liquor was



recovered from various places.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place, which does not belong to the petitioners and is accessible to public at large and they came to be implicated based on secret information, which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Mr. Basant Kumar, the learned Exclusive Special Judge, Excise First, Samastipur in connection with N.H. Bangra P. S. Case



No.121 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 petitioners shall
verify the criminal antecedent of the petitioners and in the event,
if it is found that petitioners have antecedent of more than three
cases, in that event, the present provisional anticipatory bail
order shall not be confirmed, but if on verification, it is found
that petitioners have antecedent of only three cases, in that
event, the provisional anticipatory bail order shall be confirmed
forthwith.

(Satyavrat Verma, J)

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