

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16392 of 2025

Arising Out of PS. Case No.-576 Year-2024 Thana- GARDANIBAG District- Patna

Sanjay Chaudhary Son of Geeta Chaudhary Resident of Jayprakash Nagar,
Kadam Gali, Renter of Lal Babu Chaudhry, P.S.- Jakkanpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 Heard Mr. Rakesh Bihari Singh, learned counsel
appearing on behalf of the petitioner and Mr. Damodar Prasad
Tiwary, learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30(a), 36 of the
Bihar Excise and Prohibition Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 12.39 liter of liquor from factory of Kaushik
sweets.

4. It is next submitted that the petitioner was not arrested
from the spot as such nothing was recovered from his
conscious possession. Further, Rakesh and Surendra were



arrested from the place of occurrence, who disclosed the name of Lal Babu Chaudhry and his brother-in-law i.e. the petitioner as being the owners of Kaushik sweets. It is further submitted that Lal Babu Chaudhry has been granted the privilege of anticipatory bail vide order dated 16.04.2025 passed in Cr. Misc. No.15786 of 2025.

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

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 trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) 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 Gardanibag P.S. Case No.576 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has more than one criminal antecedent in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that



petitioner has one criminal antecedent in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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