

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37708 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- SISWAN District- Siwan

Madhu Chaudhary @ Upendra Chaudhary @ Upendra Kumar Chaudhari S/o-
Jagdish Chaudhari Resident of Village - Nimajpur, P.S. - Siwan, District -
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-06-2025 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 offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 20 liters of liquor from four white sacks.
4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and nor the alleged recovery is from a place which belongs to the petitioner and he came to be implicated at the instance of *Chowkidar*. It is next



submitted that police in mechanical manner implicates either at the instance of *Chowkidar*, local person, secret information or confessional statement, when petitioner admittedly is a person with clean antecedent.

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. 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 Siswan (M.H. Nagar) P.S. Case No. 143 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that the learned Trial Court after accepting the provisional anticipatory 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 then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his



antecedent before this Court, as such, the provisional anticipatory bail shall not be confirmed, but in the event if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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