

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53574 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- BHAGWAN BAZAR District- Saran

Santosh Chaudhary @ Santosh Kumar Chaudhary son of Ashok Chaudhary
R/O -Rajendra College More, Dompura Bhagwan Bazar p.s. -Bhagwan Bazar
Distt. -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Harshvardhan

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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.

The learned counsel for the petitioner submits that the
petitioner has antecedent of eleven cases and allegation is of
recovery of 101.21 litres of liquor from a rented home.

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 room in question
from where the liquor was recovered does not belong to him,
but then, he carries eleven antecedent under the Excise Act, as



such, police in a mechanical manner implicated him without holding a proper investigation.

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

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.55,000/- (Rupees Fifty 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 Bhagwan Bazar P. S. Case No.135 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

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 more than eleven cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before



this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of eleven cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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