

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62442 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Bhopatpur District- East Champaran

Chutoon Bhagat @ Chutoon Kumar S/o- Binod Bhagat Resident of Village-
Puranidhih PS- Bhopatpur District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 10-11-2025 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.
3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases and allegation is of recovery of 12.6 litres of liquor from a place near the door of the petitioner. It is next submitted 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 is near to his door and not inside his house and he came to be implicated at the instance of chowkidar with whom he is on an inimical term.
4. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

5. 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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15000/- (Rupees fifteen 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 Bhopatpur P.S. Case No.52/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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