

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63563 of 2025

Arising Out of PS. Case No.-550 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Manohar Sahani S/O Late Husaini Sahani Resident of Mohalla- Ram Sabha Chouk Gawsala, P.S.- Katihar Sahayak, Dist.- Katihar.
2. Kedar Chauhan S/O Vikram Chauhan Resident of Mohalla- Ram Sabha Chouk Gawsala, P.S.- Katihar Sahayak, Dist.- Katihar.
3. Shankar Mahaldar S/O Late Bijal Mahaldar Resident of Mohalla- Ranipur, P.S.- Katihar Sahayak, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Opposite Party/s : Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-12-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

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

3. Learned counsel for the petitioners submits that
petitioner no. 1 has antecedent of one case, petitioner no. 2 has
antecedent of four cases and petitioner no. 3 has antecedent of
three cases and allegation is of recovery of 94 litres of liquor
from a boat.

4. Learned counsel for the petitioners submits that the



petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of the seized boat and they came to be implicated based on secret information which is the easiest way to implicate someone.

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

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 trial court within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each 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 Katihar Nagar Sahayak P.S. Case No. 550 of 2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has antecedent of more than one case, petitioner no. 2 has antecedent of more than 4 cases and petitioner no. 3 has antecedent of more than three



cases then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 has antecedent of one case, petitioner no. 2 has antecedent of four cases and petitioner no. 3 has antecedent of three cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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