

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73168 of 2025

Arising Out of PS. Case No.-232 Year-2025 Thana- TURKAULIYA District- East
Champaran

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1. Patgen Ram S/O- Chunnu Ram Resident Of Village- Barharwa, P.S-
Turkauliya, District- East Champaran
 2. Pappu Ram @ Pappu Kumar S/o Chunnu Ram Resident Of Village-
Barharwa, P.S-Turkauliya, District- East Champaran
 3. Ram Pravesh Baitha S/o Kishun Baitha Resident Of Village- Barharwa, P.S-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidhyanath Thakur
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 01-11-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.
2. The learned counsel for the petitioners, at the
outset, seeks permission to withdraw the present anticipatory
bail application with respect to petitioner nos.1, Patgen Ram and
3, Ram Pravesh Baitha, as they were arrested during the
pendency of the instant anticipatory bail application.
3. Permission is accorded.
4. Accordingly, instant petition is dismissed as
withdrawn with respect to petitioner nos.1 and 3.
5. The petitioner no.2 seeks bail in anticipation of his



arrest in a case registered for the offences punishable under Sections 30(a) and 41(1) of the Excise Act.

6. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 115 litres of liquor from a hush behind the house of Patgen Ram.

7. 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 even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of Chaukidar with whom his brother is on an inimical term.

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

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.2, Pappu Ram @ Pappu Kumar, 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the



satisfaction of the learned Special Judge, Excise Court-1, East Champaran, Motihari in connection with Turkauliya P. S. Case No.232 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

11. 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 even one case, 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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