

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78819 of 2025

Arising Out of PS. Case No.-232 Year-2025 Thana- HASPURA District- Aurangabad

1. Pappu Kumar @ Pappu Chaudhary S/O Rajendra Chaudhary R/O Vill.- Narsan, P.S.- Haspura, Dist.- Aurangabad Bihar
2. Naga Chaudhary @ Nagraj Kumar @ Nag Chaudhary S/O Rajendra Chaudhary R/O Vill.- Narsan, P.S.- Haspura, Dist.- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-12-2025 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 Sections 30(a) and 30(c) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and allegation is of recovery of 60 litres of liquor from bushes.

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 even the alleged



recovery is from a place which does not belongs to the petitioners and is accessible to public at large and they came to be implicated at the instance of the *Chowkidar* with whom they are on an inimical term.

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. 5,000/- (Rupees Five 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 Haspura P.S. Case No. 232 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 and petitioner no.2 has antecedent of even one case 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 and petitioner no. 2 is a person in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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