

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75149 of 2025

Arising Out of PS. Case No.-392 Year-2025 Thana- BARUN District- Aurangabad

1. Jitendra Chaudhary S/O Ganesh Chaudhary R/O Village- Nim Tola, P.S- Barun, District- Aurangabad (Bihar).
2. Ravindra Chaudhary S/O Vijay Chaudhary R/O Village- Kachhar Ghat, P.S- Kudra, Dist.- Bhabhua (Kaimur), Bihar. At present-Nim Tola, P.S- Barun, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-11-2025 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 is a person with clean antecedent and petitioner
No. 2 has antecedent of one case and allegation is of recovery of
60 litres liquor along with 1200 litres of jawa mahua from bank
of river *sone*.

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 Chowkidar but then it is submitted that police investigates mechanically and implicates either at the instance of local people, Chowkidar, confessional statement or secret information.

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 Barun P.S. Case No. 392 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



even one case and petitioner No. 2 has antecedent of more than 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, but after verification if it is found that petitioner No. 1 is a person with clean antecedent and petitioner No. 2 has antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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