

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78071 of 2025

Arising Out of PS. Case No.-466 Year-2025 Thana- HISUWA District- Nawada

Kalicharan @ Angad @ Angad Kumar S/o Sugreev Chauhan R/o Village -
Teli Tola, Hisua, P.S - Hisua, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2025 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 the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and allegation is of
recovery of 70.500 litres of liquor from a Scooty.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is not the owner of the seized vehicle and came to
be implicated based on the confessional statement of
apprehended accused in police custody which does not have any
evidentiary value in the eye of law. It is next submitted that once



an accused is implicated in a case relating to excise the police start implicating mechanically without holding proper investigation of the case.

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

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his 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) 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 Hisua P.S. Case No. 466 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than four cases, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioner has antecedent of only four cases in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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