

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80826 of 2025

Arising Out of PS. Case No.-280 Year-2025 Thana- HASPURA District- Aurangabad

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Ramu Choudhary @ Ramu Kumar S/O Late Rajendra Choudhary Resident of
Village- Karanbiga, (Koelawan), P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 38 litres of liquor from a place behind the house of the petitioner. It is next submitted 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 is adjacent to his house and he came to be implicated at the instance of *Chowkidar* but then it is submitted that if *Chowkidar* was aware of his involvement in the occurrence then



why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, 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-II, Aurangabad in connection with Haspura P.S. Case No.280 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. 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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