

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78782 of 2025

Arising Out of PS. Case No.-354 Year-2025 Thana- NASRIGANJ District- Rohtas

1. Ajit Chaudhary S/O Late Hira Chaudhary R/O Village- Amiawar or Amiyawar, P.S.- Nasriganj, Dist.- Rohtas
2. Kanhaiya Chaudhary @ Kanhaiya S/O Ramadev Chaudhary R/O Village- Amiawar or Amiyawar, P.S.- Nasriganj, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Parmanand Prasad

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 Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of three cases and petitioner no.2 has antecedent of one case and allegation is of recovery of 24 litres of liquor from a place near bank of some river and 8.6 litres of liquor from the shop of Indrajit.

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 petitioners have no concern with Indrajit and they came to be implicated based on secret information which is the easiest way to implicate someone. It is further submitted that since petitioners have antecedent as such they came to be implicated.

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. 15,000/- (Rupees Fifteen 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 Nasriganj P.S. Case No. 354 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 three cases 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 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 three cases 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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