

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81970 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- SIRDALA District- Nawada

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1. Pintu Kumar @ Pintu Chaudhary S/o Naresh Prasad Resident of Village-Bhandara, P.S.- Rajouli, District- Nawada,
 2. Chhotelal Kumar S/o Kuleshwar Prasad Yadav Resident of Village-Bhandara, P.S.- Rajouli, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a) and 41 of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners have antecedent of two cases and the allegation is of recovery of 160 litres of liquor from a motorcycle.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and are not the owners of the seized vehicle and they came to be implicated at



the instance of Chaukidar, but then, it is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

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

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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 Sirdalla P. S. Case No.167 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of more than two



cases, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners have antecedent of two cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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