

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80760 of 2025

Arising Out of PS. Case No.-908 Year-2025 Thana- MAHUA District- Vaishali

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1. Rajesh Chaudhary Son of Kusheshwar Chaudhary R/o village - Belkunda, P.S.- Mahua, District - Vaishali
 2. Sanjeev Paswan @ Sanjiv Kumar @ Sanjiv Pa Son of Visun Paswan R/o village - Belkunda, P.S.- Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shabina Talat

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2025 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 offence punishable under Sections 274, 275 BNS and Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of two cases and allegation is of recovery of 33.81 litres of liquor from a motorcycle. It is next submitted 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 based on secret information which is the easiest way



to implicate someone. It is also submitted that since the petitioners have antecedent as such the police in a mechanical manner implicated.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 from today, be released on provisional anticipatory bail on furnishing bail bonds 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 Mahua P.S. Case No.908/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of more than two cases, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if after verification it is found that petitioners



have antecedent of two cases, in that event the provisional
anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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