

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1458 of 2025

Arising Out of PS. Case No.-461 Year-2024 Thana- WARISLIGANJ District- Nawada

1. Vikram Choudhari @ Vikram Kumar Son of Sri Vijay Choudhari Resident of Village- Sultanpur, P.S.- Warsaliganj, Distt.- Nawada
2. Suraj Choudhari @ Suraj Kumar Son of Sri Vijay Choudhari Resident of Village- Sultanpur, P.S.- Warsaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalmani Sharma

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-02-2025 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 30(a) (d) of Bihar Prohibition and Excise Act, 2018.
3. Learned counsel for the petitioner at the outset seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2, namely, Suraj Choudhari @ Suraj Kumar, who was arrested during pendency of the anticipatory bail application.
4. Permission is accorded.
5. Learned counsel for the petitioner submits that



petitioner is a person with clean antecedent and allegation is of recovery of 800 litres of liquor from a bush near bank of a river. 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 does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of chowkidar. It is next submitted that if chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant case, which casts an aspersion on the case of the prosecution.

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

7. 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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Warsaliganj P.S. Case No.461/2024, subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

8 It is made clear that the learned trial court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the 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)

amit/-

U		T	
---	--	---	--

