

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3194 of 2026**

Arising Out of PS. Case No.-369 Year-2025 Thana- KARAKAT District- Rohtas

Chandan Kumar @ Chhotu Son of Sri Kesho Prasad Resident of Village - Jai Shree, P.S.- Karakat, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                       |
|--------------------------|---|-----------------------|
| For the Petitioner/s     | : | Mr. Ajay Kumar Prasad |
|                          |   | Mr. Binod Kumar Sinha |
| For the Opposite Party/s | : | Ms. Asha Kumari       |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      08-04-2026                      1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 37 litres of liquor from a Bolero vehicle.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and the FIR was against unknown and he is not the owner of the seized vehicle



and he came to be implicated during the course of investigation, but then, it is 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 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.5,000/- (Rupees Five Thousand) 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 Karakat P. S. Case No.369 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 petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than 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 has antecedent of one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

