

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1523 of 2026

Arising Out of PS. Case No.-852 Year-2025 Thana- VAISHALI District- Vaishali

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Vishal Chaudhary @ Vishal Kumar Chaudhary S/o Sunil Chaudhary @ Sunil Kumar Chaudhary Resident of Village- Mauna Vishunpur, P.S.- Belser OP, District- Vaishali presently residing at R/o Mohalla- Juran Chhapra Road No. 03, P.S.- Brahmapura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-01-2026 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 is a person with clean antecedent and allegation is of recovery of 544.47 litres of liquor from the hut of Manoj Kumar.
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 even alleged recovery is from a hut, which does not belong to the petitioner



and petitioner has no concern or relation with Manoj and he came to be implicated based on confessional statement of Manoj in police custody, which does not have any evidentiary value.

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.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 Belser O.P. P. S. Case No.852 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 even 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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