

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6461 of 2026

Arising Out of PS. Case No.-143 Year-2024 Thana- NAWADA District- Nawada

Karu Chauhan Son of Janki Chauhan R/o village - Mushan Bigha, P.S.-
Nawada, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) (d) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases, out of which, three cases are under the Excise Act and allegation is of recovery of 13 litres of liquor from an agricultural land near boring of petitioner along with 500 litres of fermented Jawa Mahua which was destroyed at the spot. 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 but then is



adjacent to his boring as such he came to be implicated at the instance of chowkidar with whom he is on an inimical term. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation. It is next submitted that petitioner earlier also came to be implicated in similar manner.

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

5. 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.20,000/- (Rupees twenty 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 Town P.S. Case No.143/2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the



event if it is found that petitioner has antecedent of more than four cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of four cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.7500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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