

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3854 of 2026

Arising Out of PS. Case No.-210 Year-2025 Thana- JANTA BAZAR District- Saran

1. Chandan Kumar Singh @ Chhotu Singh Son of Pramod Singh @ Megan Singh Resident of village - Senduaar, P.S.- Janta Bazar, District - Saran
2. Kundan Kumar Singh @ Motu Singh Son of Pramod Singh @ Megan Singh Resident of village - Senduaar, P.S.- Janta Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Panday, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case and allegation is of recovery of 151.68 liters of liquor from a bush near *dalan* of Ajay Singh.

4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and even alleged



recovery is from a place which does not belong to the petitioners and they came to be implicated at the instance of Chowkidar, but then it is submitted that if Chowkidar was aware of the involvement of the petitioners in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

6. 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 Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Janta Bazar P.S. Case No. 210 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has antecedent of even one case and petitioner no. 2 has antecedent of more than one case then it would be presumed that petitioners, for the purposes of seeking



anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, the learned counsel for the petitioners, based on instruction, undertakes to deposit an amount of Rs. 2500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Rishabh/-

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

