

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5461 of 2026

Arising Out of PS. Case No.-182 Year-2025 Thana- RASULPUR District- Saran

Trivuwana Chaudhary @ Tiraguna Chaudhary S/o Late Sitaram Chaudhary
R/o Village - Benaut, P.S - Rasulpur, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-02-2026 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 three cases under the Excise Act and allegation is of recovery of 10 litres of liquor from a scooty
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 he came to be implicated based on the fact that scooty is registered in the name of his wife, as such, his name was disclosed by local villager and chaukidar, but then, the police in mechanical manner



implicated the petitioner merely for the reason that he has antecedents under the Excise Act without holding a proper investigation. It is further submitted that no prudent husband would use own vehicle registered in the name of his wife for committing a crime and thus, would create trouble for his wife also. It is further submitted that petitioner was completely unaware that her friend would misuse the vehicle in the manner as alleged.

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.15,000/- (Rupees Fifteen 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 Rasulpur P. S. Case No.182 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 three cases, 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 three cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

9. At this stage, the learned counsel appearing on behalf of the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.5,000/- with Advocates' Association, Patna High Court, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

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