

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7632 of 2026**

Arising Out of PS. Case No.-362 Year-2025 Thana- Excise P.S. District- Rohtas

Prakash Kumar @ Indal Chaudhary Son of Kishun Chaudhary Resident of  
village - Khanda, P.S.- Sasaram (Karwandiya), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Ms. Pushpa Sinha.1

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

2      23-02-2026                      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 Section 30(a) of  
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of  
recovery of 25 litres of liquor from a motorcycle. It is next  
submitted 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 he is owner of the  
seized vehicle. It is next submitted that no prudent person would  
use his own vehicle for committing an occurrence and thus  
would create evidence against himself and hence would get



implicated. It is also submitted that the petitioner was completely unaware that Amresh would misuse his vehicle in the manner as alleged who was also apprehended from the spot along with Pritam.

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.5000/- (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 Excise Case No.918/2025, arising out of Sasaram Excise P.S. Case No.362/2025, 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 one case, 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 one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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