

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12080 of 2026

Arising Out of PS. Case No.-387 Year-2025 Thana- SASARAM MUFFSIL District- Rohtas

Pintu Chaudhary @ Pintu Kumar S/o Prakash Chaudhary @ Paras Chaudhary
Resident Of Village- Sitabigha, Ps- Sasaram Mufassil, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-03-2026 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 Amendment Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases under the Excise Act and allegation is of recovery of 30 litres of liquor from a place near kau river. 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 and is accessible to villagers at large and he came to be implicated at the instance of chowkidar with whom he is on an inimical term. It is also submitted that if



chowkidar was aware of the involvement of the petitioner 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. It is further 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 also submitted that inadvertently at Para-3 of the anticipatory bail application it has been pleaded that petitioner has been apprehended but then the same has been rectified by filing a supplementary affidavit, wherein it is recorded that petitioner has not been apprehended.

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 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 Sasaram Muffasil P.S. Case No.387/2025,



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 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.

(Satyavrat Verma, J)

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