

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12012 of 2026

Arising Out of PS. Case No.-81 Year-2024 Thana- RISIYAP District- Aurangabad

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Raju Chauhan Son of Krishna Chauhan @ Krishna Noniya R/O Village - Raja
Bigha, P.S.- Rafigan, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 25 litres of liquor from brick kiln of Kaushal Singh
along with a motorcycle. 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 has no
concern with Kaushal Singh nor is the owner of the seized
vehicle, as has been pleaded at para-8 and 9 of the anticipatory



bail application but then police in mechanical manner investigated and implicated the petitioner on the ground that petitioner is owner of the seized vehicle.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise-II, Aurangabad in connection with Risiup P.S. Case No.81 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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