

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14448 of 2026

Arising Out of PS. Case No.-197 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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1. Chandan Kumar @ Rohit Kumar S/o Mahendra Chaudhary R/o Village - Bhola Bigha, P.S- Muffasil, District - Nawada
 2. Mahendra Chaudhary S/o Late Prasadi Chaudhary R/o Village - Bhola Bigha, P.S- Muffasil, District - Nawada
 3. Anjit Kumar S/o Natho Chaudhary R/o Village - Bhola Bigha, P.S- Muffasil, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2026 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case under the Excise Act and petitioner no. 2 and 3 are persons with clean antecedent and allegation is of recovery of 228.4 litres of liquor concealed in a bush along with 930 empty liquor bottles.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession even the alleged recovery is from a place which does not belong to the petitioners and is accessible to villagers at large. It is further submitted that petitioners came to be implicated at the instance of the local person but then the name of the person who disclosed the name of the petitioners is not disclosed in the 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, let the petitioners, above-named, in the event of their arrest or surrender 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 G.O. Case No. 197 of 2020/C.I.S. No. 1247 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and if it is found that petitioner no. 1 has antecedent of more than



one case and petitioner no. 2 and 3 have antecedent of even one case, it would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner no. 1 has antecedent of only one case and petitioner no. 2 and 3 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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