

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14428 of 2026**

Arising Out of PS. Case No.-16 Year-2026 Thana- CHANPATIA District- West Champaran

Ajay Bari @ Ajay Prasad S/O Late Banarsi Bari R/O Village -Giddha bari  
tola, Ward no.- 7, Police Station -Chanpatiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

2      13-03-2026                      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) of Bihar  
Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 8.500 litres of liquor from a bush. 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 he came to be implicated at the instance of  
Chowkidar and local person but then it is submitted that name  
of the person who disclosed the name of the petitioner is not



disclosed in the FIR, which casts an aspersion on the case of the prosecution. It is next submitted that since petitioner is on inimical term with Chowkidar, hence, Chowkidar falsely implicated him. It is further 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 also casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

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 Special Judge Excise Court-I, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No.16 of 2026, 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)**

*Sanjay/-*

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