

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18841 of 2026

Arising Out of PS. Case No.-495 Year-2025 Thana- Excise P.S. District- Darbhanga

Jibachh Chaupal @ Jibachh Kumar Chaupal Son of Jharokhi Chaupal @
Jharokhi Das R/o Village - Kanti, P.S. - Sadar, Dist. - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2026 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 Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 765 litres of liquor from an orchard. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession. It is
asserted and submitted that the alleged recovery is from an
orchard, which does not belong to the petitioner and he came to
be implicated based on secret information which is the easiest
way to implicate someone, without holding a proper



investigation. It is also submitted that the police in order to save the real culprit falsely implicated the petitioner, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees five hundred) 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 Sadar (Darbhanga) P.S. Case No.495/2025, 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 even 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 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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