

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23702 of 2026

Arising Out of PS. Case No.-206 Year-2026 Thana- MAJHAULIA District- West Champaran

1. Suraj Kumar Son of Gyandev Dhangar R/o Village - Dhokaraha Dhangar Toli, P.S. - Majhauriya, Dist. - West Champaran.
2. Chandeshwar Kumar Son of Basant Dhangar R/o Village - Dhokaraha Dhangar Toli, P.S. - Majhauriya, Dist. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2026 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 Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case under the Excise Act and allegation is of recovery of 15 litres of liquor from a motorcycle. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and petitioner no.2 came to be implicated based on



the fact that he is owner of the seized vehicle. It is also submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner no.2 was completely unaware that his friend would misuse the vehicle in the manner as alleged who also fled from the spot. It is next submitted that petitioner no.1 is a person with clean antecedent and he came to be implicated at the instance of chowkidar with whom he is on an inimical term.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, 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.5000/- (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 Majhauilya P.S. Case No.206/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.



6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of even one case and petitioner no.2 has antecedent of more than one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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