

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28428 of 2026**

Arising Out of PS. Case No.-395 Year-2024 Thana- NAWADA District- Nawada

1. Gautam Kumar S/o Ramswaroop Kewat @ Ramswarup Kevat R/o Village - Bhadauni, P.s.- Nawada, District - Nawada
2. Pappu Kumar Kewat @ Pappu Kumar S/o Ramswaroop Kewat @ Ramswarup Kevat R/o Village - Bhadauni, P.s.- Nawada, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Dr. Kumar Uday Pratap

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

2      24-04-2026                      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 offences punishable under Sections 147, 149, 341, 323, 337, 332, 333, 379, 511, 353 and 427 of the Indian Penal Code read with Section 45 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 5 liters of liquor from the house of Karu Chaudhary.

4. Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and even alleged



recovery is from a place which does not belong to the petitioner and he has no concern or relation with Karu Chaudhary and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term. It is also 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 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, the petitioners above-named, in the event of their arrest or surrender before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Nawada P.S. Case No. 395 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court 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 seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if 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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