

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31831 of 2026

Arising Out of PS. Case No.-47 Year-2023 Thana- BIHAR District- Nalanda

Suraj Kumar S/O Karu Chaudhary Resident of village- Gauragarh, Post
office- Bihar Sharif, Police Station- Bihar Sharif, District-Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aklavya Chandan Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-05-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a)(c) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases out of which one case
is under the Excise Act and allegation is of recovery of 40 litres
of liquor from cowshed of Vijay Yadav and 02 litres of liquor
from a scooty.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even alleged
recovery is from a cowshed, which does not belong to the



petitioner and petitioner has no concern or relation with Vijay and he came to be implicated based on the fact that he is owner of the seized scooty. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged who also fled from the spot.

5. Learned A.P.P. opposes the anticipatory bail application.

6. 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-bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand) 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 Bihar P. S. Case No.47 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after



accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, 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 has antecedent of four cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

