

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37347 of 2026

Arising Out of PS. Case No.-424 Year-2026 Thana- Excise P.S. District- Kishanganj

=====

Anil Kumar Chauhan @ Anil Chauhan @ Anil Chouhan @ Anil Kumar
Chaudhary Son of Balu Nuniya Resident of Village -Dumaria ward no 30 PS
-Kishanganj, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar
For the Opposite Party/s : Mr. Rajesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2026 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) and
32(3) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and
allegation is of recovery of 36.395 litres of liquor from a
motorcycle and e-rickshaw. It is next submitted that petitioner
was not arrested from the spot as such nothing was recovered
from his conscious possession and he came to be implicated
based on the fact that he is owner of the seized motorcycle. It is
next 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 was completely unaware that Farookh would misuse his vehicle in the manner as alleged who was also apprehended from the spot.

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.5000/- (Rupees five 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 Excise P.S. Case No.424/2026, 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 more than 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 has antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

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

