

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41760 of 2026

Arising Out of PS. Case No.-221 Year-2026 Thana- NAUTAN District- West Champaran

Saheb Chaudhari S/O Jhunnu Chaudhari R/O Village - Shahi Tola Bhitaha,
P.S. Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-06-2026 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) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 62.06 litres of liquor from a mango orchard taken on
lease by the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has been falsely implicated in
the instant case by the informant. It is further submitted that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not owner of the
mango orchard, rather had taken on lease. It is next submitted



that no prudent person would use his own leased premises for committing an occurrence and, thus, would create evidence against himself and hence would get implicated. It is also submitted that petitioner came to be implicated at the instance of the Chawkidar with whom he is on an inimical term.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let 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 Nautan P.S. Case No. 221 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail



application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification 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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