

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40569 of 2026

Arising Out of PS. Case No.-223 Year-2026 Thana- CHHATAUNI District- East Champaran

Raja Kumar @ Raja Babu Kumar S/O Mahendra Mahto R/V - Mathiya dhi, P.
S - Chatauni District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Raj Singh
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Sri Chandra Bhushan Prasad.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 54.9 litres of liquor from a bush.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even the alleged recovery is from a place which does not belong to the petitioner and he came to be implicated at the instance of local people, but then the name of the person, who disclosed the name of the



petitioner, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information.

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 for the petitioner, the petitioner above-named, in the event of his 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. 5,000/- (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 Chhatauni P.S. Case No. 223 of 2026, 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 more than 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 has antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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