

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49521 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- NATWAR District- Rohtas

1. Sugandhi Chaudhary @ Mahavir Chaudhary S/o- Shiv Balak Chaudhary @ Shiv Balam Chaudhary Resident of Village- Ashiya tola, P.S. Natwar, District Rohtas
2. Om Prakash Chaudhary S/o- Shiv Balak Chaudhary Resident of Village- Ashiya tola, P.S. Natwar, District Rohtas
3. Vikash Kumar @ Vikas Chaudhary S/o- Ram Bhajan Chaudhary Resident of Village- Ashiya tola, P.S. Natwar, District Rohtas
4. Yogesh Chaudhary @ Yugesh Chaudhary S/o- Kameshwar Chaudhary Resident of Village- Ashiya tola, P.S. Natwar, District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-07-2026 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 Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner nos. 1, 2 have antecedent of three cases under the Excise Act, petitioner no. 4 has antecedent of three cases out of which two cases are under the Excise Act and petitioner no. 3 has antecedent of two cases under the Excise Act and allegation



is of recovery of 30 litres of liquor from Asiya Tola.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of *Chowkidar* with whom they are on an inimical term. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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 within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) 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 Natwar P.S. Case No. 68 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 petitioners and in the event if it is found that petitioner nos. 1, 2 and 4 have antecedent of more than three cases and petitioner no. 3 has antecedent of more than two cases then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner nos, 1, 2 and 4 have antecedent of three cases and petitioner no. 3 has antecedent of two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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