

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47206 of 2026

Arising Out of PS. Case No.-308 Year-2026 Thana- MOHANIYA District- Kaimur (Bhabua)

CHANDAN KHARWAR S/O BABULAL KHARWAR R/o vill - Samahuta,
P.S.- Mohania, Distt.- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2026 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 Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case under the Excise Act and allegation is of recovery of 18 litres of liquor from house of Raj Kumar and 118.320 litres of liquor from a place outside the under constructed house of Manish.

4. Learned counsel for the petitioner submits 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 118.320 litres of liquor was



recovered from a place adjacent to his under constructed house based on confessional statement of his brother Manish with whom he is on litigating 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 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 Mohania P.S. Case No.308/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. 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)

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