

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51605 of 2026

Arising Out of PS. Case No.-267 Year-2026 Thana- NAUTAN District- West Champaran

1. Mugal Chaudhary @ Mogal Chaudhary @ Mugal Chaudhari S/o Ramanand Chaudhary @ Ramanand Chaudhari R/o Village - Baira Parsauni Ward No. 9, P.S - Nautan, District - West Champaran
2. Binayak Chaudhary S/o Ramanand Chaudhary R/o Village - Baira Parsauni Ward No. 9, P.S - Nautan, District - West Champaran
3. Arbind Chaudhary @ Arbind kumar S/o Banarsi Chaudhari R/o Village - Baira Parsauni Ward No. 9, P.S - Nautan, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2026 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases under the Excise Act, petitioner no.2 is a person with clean antecedent and petitioner no.3 has antecedent of one case under the Excise Act and the allegation is of recovery of 60.84 litres of liquor from a house of Lalan Chaudhary.



4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place, which does not belong to the petitioners and they have no concern or relation with Lalan Chaudhary and they came to be implicated at the instance of Chaukidar with whom they are on an inimical term.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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 Nautan P. S. Case No.267 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall



verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of more than two cases, petitioner no.2 has antecedent of even one case and petitioner no.3 has antecedent of more than one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner no.1 has antecedent of two cases only, petitioner no.2 is a person with clean antecedent and petitioner no.3 has antecedent of one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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