

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83882 of 2025

Arising Out of PS. Case No.-203 Year-2021 Thana- DARIYAPUR District- Saran

Chandan Kumar Son of Shivjee Prasad Yadav Resident of Village- Krishna
Toli Ward No. 2, P.S.- Brahmpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate Mr. Hemand Ray, Advocate
For the Opposite Party/s	:	Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-02-2026 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 offences punishable under Section 372, 373,
420, 120B of IPC and Section 30(a), 33, 36 and 41(i) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
case was taken up on 18-12-2025, when case diary was called
for, but then the supplementary case diary has been received.

4. The court will not wait endlessly for the case diary.

5. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 5200 litres of spirit from a truck.



6. 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 he came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated and at the same time shall bring disrepute to his business, it is further submitted that petitioner was completely unaware that his driver Pramod would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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

8. 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. 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 Dariyarpur P.S. Case No. 203 of 2021, subject to the conditions as laid down under Section 482(2) of the



BNSS.

9. 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 even 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 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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