

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85190 of 2025**

Arising Out of PS. Case No.-306 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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Chandan Kamat @ Chandan Kumar S/O Firan Kamat Resident of Ward No.-
04, Pilakhawer, P.S- Rajnagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 270 litres of liquor from a car. It is next submitted
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 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. It is also submitted that petitioner was completely unaware that Manoj Kamat would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-2nd-cum-Special Judge Excise Court, Madhubani in connection with Madhubani Town P.S. Case No.306 of 2023, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner 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 obtaining anticipatory bail had concealed his 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 has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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