

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84678 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- ARERAJ District- East Champaran

SANJEEV CHAUDHARY @ SHIVNATH CHODHARI Son of Aklu Chaudhary R/o Vill.- Areraj Shukul Tola, Ward No.- 08, P.S.- Areraj, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2026 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 274 and 275 of the B.N.S. and Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 37 litres of liquor from a semi constructed house of the petitioner and 06 litres of liquor from house of Vijay Malik.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and the house is under



construction, as such, no one is living in the house. It is also submitted that it appears that someone inimical to the family concealed meager amount of liquor with a view to implicate the entire family members. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically. It is next submitted that no prudent person would use his own premises for committing a crime and thus, would create evidence against himself and hence, would get implicated and he came to be implicated based on confessional statement of Mitra Asashik in police custody, which does not have any evidentiary value.

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

6. 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-bonds in the sum of Rs.5,000/- (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 Areraj P. S. Case No.185 of 2025, subject to the conditions



laid down under Section 482(2) of the BNSS.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds 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 one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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