

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87422 of 2025

Arising Out of PS. Case No.-382 Year-2025 Thana- MADANPUR District- Aurangabad

1. Tuntun Singh @ Nitish Kumar @ Tuntun S/O Sachchitanand Sigh R/O Village- Ishapur, P.S.- Madanpur, District- Aurangabad
2. Bholu @ Ankur Kumar Singh S/O Ravi Prakash Singh R/O Village- Ishapur, P.S.- Madanpur, District- Aurangabad
3. Dhiraj Chaudhary @ Dhiraj Kumar S/O Surendra Chaudhary R/O Village- Ishapur, P.S.- Madanpur, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their 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 by order dated 19.12.2025, the case diary along with criminal antecedent of the petitioner was called for but then only case diary has been received. The Court will not wait endlessly for the criminal antecedent. It is next submitted that petitioners are persons with clean antecedent and allegation is of recovery of



2200 litres of liquor from a four-wheeler and three motorcycles.

It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of any of the seized vehicle and they came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Madanpur P.S. Case No.382/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of



even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification it is found that petitioners are persons with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. At this stage, the learned counsel for the petitioners, based on instruction, undertakes to deposit an amount of Rs.1500/- with Advocates’ Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

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