

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91326 of 2025

Arising Out of PS. Case No.-370 Year-2025 Thana- BHAGWAN BAZAR District- Saran

1. Chandan @ Chhotu @ Chhoti son of Nand Kumar Rai Resident of village- Bari Devi, Daulatganj, Ps- Bhagwan Bazar, Dist- Saran at Chapra
2. Kariman Rai @ Amrendra Kumar son of Ganesh Rai Resident of Village -Jantola Ps- Bhagwan Bazar District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tejpratap Singh

For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-01-2026 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 petitioners submits that petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of four cases and allegation is of recovery of 129 litres of liquor from a vehicle. 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 owners of the seized vehicle and they came to be implicated at



the instance of local person but then the name of person who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

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.20,000/- (Rupees twenty 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 Bhagwan Bazar P.S. Case No.370/2025, 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 petitioner no.1 has antecedent of even one case and petitioner no.2 has antecedent of more than four cases, 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



but if after verification it is found that petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of four cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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