

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91911 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- Manikpur District- Lakhisarai

Chhotu Das @ Dhirendra Das S/O Late Arjun Das Resident of Village-
Lakshmipur, P.S.- Manikpur, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Irshad, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) and 32(iii) of
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 30 litres of liquor from shop of the petitioner and 10
litres of liquor from a motorcycle. It is next submitted that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is owner of a
Chowmin shop which is an open shop and customers come in
large numbers and it appears that someone fearing the police
concealed the liquor near his shop and petitioner in a



mechanical manner came to be implicated. It is also submitted that no prudent person would use his own premises for committing an occurrence and thus, would create evidence against himself and, at the same time, shall bring disrepute to his business. It is reiterated and submitted that petitioner is a person with clean antecedent and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV, Lakhisarai in connection with Manikpur P.S. Case No.130 of 2025, 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 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 even 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 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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