

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.739 of 2026

Arising Out of PS. Case No.-143 Year-2025 Thana- ANDHRATHARHI District- Madhubani

1. Vishwajeet Bantar @Vishojeet Bantar Son of Bindeshwar Kumar Bantar R/o Village - Marukiya, P.S. - Andrathardhi, Distt. - Madhubani.
2. Abhishek Bantar Son of Shiv Kumar Bantar R/o Village - Marukiya, P.S. - Andrathardhi, Distt. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-01-2026 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 Sections 274, 275, 3(5) of the BNS and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 49.2 litres of liquor from a place near a canal. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not



belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of chowkidar but then it is submitted that police in mechanical manner investigates and implicates either at the instance of chowkidar, local person, secret information or confessional statement without holding proper investigation, when petitioners admittedly are persons with clean antecedent.

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 Andrathardhi P.S. Case No.143/2025, 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 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.

(Satyavrat Verma, J)

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