

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.465 of 2026

Arising Out of PS. Case No.-562 Year-2025 Thana- BIKRAMGANJ District- Rohtas

Amrit Chauhan @ Pahari @ Sudhanshu Ranjan Son of Nand Kumar Singh @
Nand Kumar Chauhan Resident of Village- Dharupur, P.S.- Bikramganj,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 109, 262, 263, 132 and 3(5) of the BNS as well as
Sections 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases and allegation is of
recovery of 1.260 litres of liquor from Ravi Kumar and Prince
Kumar.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from Ravi Kumar and Prince Kumar with whom



petitioner has no concern or relation. It is further submitted that petitioner came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is submitted that the police off late have started mechanically implicating person with criminal antecedent in excise cases without holding a proper investigation of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-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 Bikramganj P.S. Case No. 562 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if



it is found that petitioner has antecedent of more than five cases, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only five cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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