

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8218 of 2025

Arising Out of PS. Case No.-409 Year-2024 Thana- GRIYAK District- Nalanda

Vijay Yadav @ Bijo @ Baiju Kumar @ Baiju S/O Rupa Yadav resident of
Village- Nichli Bazar, P.S.- Giriyak, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2025 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 offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of eight cases.
4. Allegation is of recovery of 3.375 litres of liquor from
the house of Rupa Yadav.
5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and petitioner came to be
implicated based on the fact that he is son of Rupa Yadav. It is further
submitted that the petitioner resides separately from his father. It is
next submitted that petitioner came to be implicated based on secret
information. It is next submitted that once an accused is implicated in



a case relating to excise the police start implicating mechanically without holding a proper investigation.

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

7. 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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.40,000/- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Giryak P.S. Case No. 409 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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 eight cases 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 eight cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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