

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28500 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- MANSI District- Khagaria

1. Tarun Yadav @ Taran Yadav S/O Kishun Yadav R/O Village- Ekania, P.S- Mansi, Distt.- Khagaria.
2. Babu Saheb @ Babua S/O Tarun Yadav @ Taran Yadav R/O Village- Ekania, P.S- Mansi, Distt.- Khagaria.
3. Lalo Yadav @ Lalu Yadav S/O Tarun Yadav @ Taran Yadav R/O Village- Ekania, P.S- Mansi, Distt.- Khagaria.
4. Sintu Yadav S/O Tarun Yadav @ Taran Yadav R/O Village- Ekania, P.S- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners have antecedent of two cases and allegation is of recovery of 50 litres of liquor along with 500 litres of raw materials from Basa of petitioner no.1, Tarun Yadav. Further, the raw materials seized were destroyed.



4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that Basa is a place outside the house. It is next submitted that no prudent person would use his own premises for committing a crime and thus, would create evidence against themselves and hence, would get implicated. It is also submitted that Basa is accessible to villagers at large, as such, it appears that someone inimical to the petitioners planted meager amount of liquor with a view to implicate the entire family members. It is also submitted that petitioner no.2 is on an inimical term with the chaukidar, as such, chaukidar implicated all the family members.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1st, Khagaria in connection



with Mansi P. S. Case No.32 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of more than two cases, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners have antecedent of only two cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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