

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28474 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- DAUDNAGAR District- Aurangabad

1. Sudhir Yadav S/O Yugal Yadav R/O Village- Tarari Muslimabad, P.S.- Daudnagar, District- Aurangabad, Bihar
2. Manish Yadav @ Manish Kumar S/O Suresh Yadav R/O Village- Tarari Muslimabad, P.S.- Daudnagar, District- Aurangabad, Bihar
3. Vikash Kumar S/O Mahesh Yadav R/O Village- Tarari Muslimabad, P.S.- Daudnagar, District- Aurangabad, Bihar
4. Durgesh Paswan S/O late Ramchandra Paswan R/O Village- Tarari Muslimabad, P.S.- Daudnagar, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2025 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner Nos. 1, 2 and 3 are person with clean antecedent while petitioner No. 4 has antecedent of one case and allegation is that informant handed over 20 litres of liquor to the police alleging that petitioners indulge in selling liquor in the field of



Brajesh.

4. Learned counsel for the petitioners next submits that the petitioners have been falsely implicated at the instance of the informant. It is also submitted that liquor was not recovered from the possession of the petitioners rather the liquor was handed over to the police by the informant, but then police, for reasons best known, did not arrest the informant.

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

6. 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 trial court within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) 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 Daudnagar P.S. Case No. 147 of 2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner No. 1, 2 and 3 have antecedent of even one case and petitioner No. 4 has antecedent of more than



one case, then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner Nos. 1, 2 and 3 are person with clean antecedent and Petitioner No. 4 has antecedent of only one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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