

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30257 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- BISFI District- Madhubani

Lakshman Yadav @ Lakshman Yadva S/o Rambahadur Yadav R/o vill - Bisfi,
Motnaje, P.S.- Bisfi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 17-12-2025 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
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of nine cases as would manifest from
supplementary affidavit and allegation is of recovery of 143.656
litres of liquor from a bush. It is next submitted that petitioner
was not arrested from the spot as such nothing was recovered
from his conscious possession and even alleged recovery is
from a place which does not belong to the petitioner and is
accessible to public at large and he came to be implicated at the
instance of chowkidar but then it is submitted that once an



accused is implicated in a case relating to excise, the police starts implicating mechanically without holding a proper investigation either through chowkidar, local person, confessional statement or secret information.

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

5. Considering the submissions made by the learned counsel for the petitioner, 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.45000/- (Rupees forty 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 Bisfi P.S. Case No.37/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than nine cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found that petitioner has antecedent of nine cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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