

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37413 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- LAURIA District- West Champaran

Sikandar Yadav @ Sikandar Kumar Yadav S/O Lalbabu Yadav R/O Ward no.
4, Harpur, Nauda Parsauni, P.s.- Chaturwa, Dist.- West Champaran, Bagha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhawdwaj

For the Opposite Party/s : Mr. Ravindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Ravindra Kumar.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 274, 275, 3(5) of BNS and 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 68.76 litres of liquor from a car. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of apprehended accused Mithilesh Yadav in police custody, which does not have any evidentiary value. It is next submitted that the petitioner is not the owner of the seized vehicle rather the vehicle belongs to



Mithilesh. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without 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.5000/- (Rupees 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 Lauriya P.S. Case No. 118/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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 one case, 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 one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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