

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46896 of 2025

Arising Out of PS. Case No.-821 Year-2024 Thana- Excise P.S. District- Siwan

Yashvent Kumar Prasad S/o Mahesh Prasad R/o Village- Saraiya, P.S.-
Muffasil, District- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Adv.

For the State : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-08-2025 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 offences punishable under Sections 30 (a) and 32 (3) of the Bihar Prohibition and Excise Act, 2016.

3. The recovery of total 410.40 litres of foreign liquor has been shown from a Nexon vehicle.

4. Learned counsel for the petitioner submits that no recovery was made from physical and conscious possession of the petitioner. His name has surfaced in the present case on account of the fact that he is the owner of the seized vehicle. However, he was not driving the said vehicle on the alleged date and he had no knowledge that the same was put to illegal use.



5. Learned APP for the State, however, opposes the prayer for anticipatory bail on the ground that the petitioner has one criminal antecedent of similar nature. In response to the same, it is submitted on behalf of the petitioner that he is on bail in the said case.

6. At this stage, it is offered on behalf of the petitioner that he would deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

7. Considering the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Siwan Muffasil P.S. Case No. 821 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023 and also to the following conditions that:

(I) One of the bailors shall be a family member or a close



relative of the petitioner, who will give an affidavit giving genealogy as to how he is related to the petitioner.

(II) The learned Court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the learned Court below shall take steps for cancellation of bail bonds of the petitioner. However, it is expected that the verification process would be done expeditiously without causing delay, preferably within two weeks from today.

(III) The petitioner shall appear before the Investigating Officer of the concerned Police Station as and when required till investigation is pending against him.

8. However, it is made clear that the bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

divyanshi/-

U		T	
---	--	---	--

