

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51804 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- MEHSI District- East Champaran

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Bhola kumar @ Vicky Kumar Yadav S/o Satyanarayan rai @ Satyanarayan @
Ray @ Satnarayan Rai Resident of Village - Rampur Shankar, P.S. - Mehsi,
Dist.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2025 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 one case and allegation is of
recovery of 152.280 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 is not
the owner of the seized vehicle and he came to be implicated at
the instance of chowkidar. It is also submitted that police in
majority of the cases implicates either at the instance of



chowkidar, local person, secret information or confessional statement without holding proper investigation in a mechanical manner.

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 Mehshi P.S. Case No.98 of 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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