

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57315 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- TAJPUR District- Samastipur

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Birappan Yadav @ Ranjan Kumar @ Virppan Yadav S/o Shivchandra Yadav
@ Shiv Chandra Ray R/o village - Kasbe Aahar , Police station - Tajpur ,
District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-11-2025 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 51 litres of liquor from the house of Sajjan Yadav.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a house which does not belongs to the
petitioner, but then he came to be implicated merely for the



reason that he is brother of Sajjan though he resides separately and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.

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

6. 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 trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Tajpur P.S. Case No. 98 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after



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

(Satyavrat Verma, J)

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