

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63098 of 2025

Arising Out of PS. Case No.-429 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Yasin Ansari @ Yasin Miyan S/O Shamshul Miyan R/O Vill.- Gamhari, P.S.-
Baikunthpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harshvardhan Shivsundaram

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2025 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases, but inadvertently at
Para-3 it has been pleaded that petitioner has antecedent of three
cases and allegation is of recovery of 240 litres of liquor from a
sugarcane field.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the 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 based on secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically without holding proper investigation.

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, let 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. 20000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baikunthpur P.S. Case No. 429 of 2024, 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 if it is found that petitioner has antecedent of more than four cases in that event the provisional anticipatory bail order shall not be confirmed, but if it is found on verification that petitioner has



antecedent of only four cases in that event the provisional
anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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