

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75298 of 2025

Arising Out of PS. Case No.-582 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

Subodh Yadav S/o Briksh Yadav Village - Sartakiya, P.S.- Hisua, District -
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-11-2025 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) and
(f) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 60 litres of liquor along
with 300 Kg. of jawa mahua from private land of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that the police in a mechanical manner implicated the petitioner
when the land does not belong to him. It is next submitted that



no prudent person would use his own land for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner came to be implicated at the instance of the Chawkidar with whom he is on an inimical term. It is reiterated and submitted that petitioner is a person with clean antecedent.

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

7. 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.500/- (Rupees Five Hundred) 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 G.O. Case No. 582 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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 even one case, it would be presumed that petitioner had concealed his antecedent



before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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