

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74639 of 2025

Arising Out of PS. Case No.-257 Year-2025 Thana- DHAMDAHA District- Purnia

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BRAJESH YADAV S/o Late Gopal Yadav @ Gopal Prasad Yadav R/o vill -
Thadhi (Harrahi), ward no. 7, P.s.- B. Kothi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Ms.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 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 is a person with clean antecedent and allegation is of
recovery of 30.87 litres of liquor from a jute field and 87.8 litres
of liquor from a tractor.

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 is not the owner
of the seized tractor nor the jute field belongs to him and he
came to be implicated at the instance of local people, but then



the name of the person, who disclosed the name of the petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution. It is next submitted that police in a mechanical manner, implicates either at the instance of Chowkidar, local person, confessional statement or secret information.

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. 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 Dhamdaha P.S. Case No. 257 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 even one case 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 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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