

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74631 of 2025**

Arising Out of PS. Case No.-124 Year-2025 Thana- JADIA District- Supaul

Munna Yadav @ Suman Saurabh S/o Jaykrishn Yadav Resident of Jadiya  
Ward No. 06, P.S.- Jadiya, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Ms. Indu Kumari Srivastava

**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 offence punishable under Section 30(a) of  
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of  
recovery of 35.625 litres of liquor from house of the petitioner.  
It is next submitted that petitioner was not arrested from the spot  
as such nothing was recovered from his conscious possession  
and the house in question is a joint family property as such it  
cannot be alleged with certainty that it was petitioner, who had  
kept the liquor in the house or the liquor kept in the house was  
within his knowledge and after amendment in the Excise Act in



the year 2018, the concept of deemed possession and presumed offender has been done away with and he came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

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 S.T. Ex. No.586/2025, arising out of Jadiya P.S. Case No.124/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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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