

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75987 of 2025

Arising Out of PS. Case No.-635 Year-2024 Thana- CHAPRA TOWN District- Saran

Deepak Kumar Yadav S/O Tejnarayan Yadav R/o- Gauri, P.S.- Manjhi, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtunjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedents of three cases and allegation is of recovery of 6.66 litres of liquor from a Scooty. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized Scooty. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus, would create evidence against himself and hence, would get



implicated. It is also submitted that petitioner was completely unaware that Anil Kumar would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Aman Deep Kumar.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-I, Saran in connection with Town P.S. Case No.635 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than three cases, then it would be presumed that petitioner for the purposes of



obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedents of only three cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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