

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77890 of 2025**

Arising Out of PS. Case No.-299 Year-2025 Thana- DAWATH District- Rohtas

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MANTOSH KUMAR SINGH @ MATELU YADAV @ BHATELU YADAV  
Son of Siku Yadav @ Shyam Bihari Yadav Resident of village -  
Parmeshwarpur, P.S.- Dawath, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      01-12-2025                      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 petitioner has antecedent of one case and allegation is of recovery of 217.62 liters of liquor from a tarpaulin hut.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and the hut does not belong to the petitioner and he came to be implicated at the instance of Chowkidar and spy. It is also submitted that police in



mechanical manner investigates and implicates either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a 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, 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. 5,000/- (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 Dawath P.S. Case No. 299 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 more than 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 has antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

Rishabh/-

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