

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80614 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- TARABARI District- Araria

Bechan Yadav @ Bechan Kumar Yadav S/O Late Parmeshwar Yadav @
Prameshwar Yadav R/O Village- Bidi Dak Bangla, Ward No. 4, P.S.- Tarabari,
Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of seven cases, as would manifest
from the supplementary affidavit. It is next submitted that
allegation is of recovery of 11.40 litres of liquor from straw
house of Lalan Kumar Sah and from a bush behind his straw
house. It is next submitted that petitioner was not arrested from
the spot, as such, nothing was recovered from his conscious
possession and even alleged recovery is from a place which



does not belong to the petitioner and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.

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-bond in the sum of Rs.35,000/- (Rupees Thirty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court-II, Araria in connection with Tarabari P.S. Case No.77 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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 seven 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 seven cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. The office is directed to trace the supplementary affidavit filed by learned counsel for the petitioner on 12.11.2025 and place the same on record.

(Satyavrat Verma, J)

Sanjay/-

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