

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79119 of 2025**

Arising Out of PS. Case No.-193 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

Awadesh Yadav @ Dhunu Yadav Son of Shivbachan Yadav Resident of  
Village - Mangharia, P.S.- Buxar (Industrial), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Madan Kumar

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

2      08-12-2025              1.    Heard learned counsel for the petitioner and  
learned A.P.P. for the State, Sri Madan Kumar.

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 has antecedent of four cases and allegation is of  
recovery of 189.69 litres of liquor from a motorcycle.

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 vehicle. It is next submitted that 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 further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically 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. 20,000/- (Rupees Twenty 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 Buxar Industrial P.S. Case No. 193 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 four cases 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 four cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sumit/-

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