

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80473 of 2025

Arising Out of PS. Case No.-506 Year-2025 Thana- Excise P.S. District- Siwan

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Chandra Prakash Yadav @ Sonu Yadav S/o Madan Yadav Resident of Village
- Kathauli, P.S - Mairwa, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2025 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The case was mentioned at the instance of learned
counsel appearing on behalf of the petitioner on the ground
that in the order dated 10-12-2025 by which provisional
anticipatory bail was granted to the petitioner, at para-3, it has
been recorded that petitioner has antecedent of one case when
at para-3 of the anticipatory bail application, it was pleaded
that petitioner has antecedent of two cases.

3. In view of the submission made by learned
counsel for the petitioner, the para-3 of the order dated 10-12-
2025 is modified to read as “Learned counsel for the



petitioner submits that petitioner has antecedent of two cases and allegation is of recover of 606 litres of liquor from a Scorpio vehicle. It is next submitted that petitioner was not apprehended 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 vehicle. 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 Ashok would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Rohit, and consequently para-7 of the order dated 10-12-2025 is modified to read as “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 two 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 two cases only, in that event the provisional anticipatory bail



order shall be confirmed forthwith.”

4. The order dated 10-12-2025 is modified to the extent indicated above.

(Satyavrat Verma, J)

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