

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81494 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- NAKARDEI District- East Champaran

Dinbandhu Yadav @ Dinbandhu Kumar Son of Arjun Yadav Village
-Kaudihar PS- Raxaul District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-12-2025 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, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedents of three cases and allegation is of recovery of 36 litres of liquor from a motorcycle. 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 confessional statement of Naresh Kumar in police custody which does not have any evidentiary value. It is also submitted that once an accused is implicated in a case relating to excise, the police starts



implicating mechanically without holding a proper investigation.

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 Exclusive Special Excise Court No.-II, East Champaran, Motihari in connection with Nakardei P.S. Case No.105 of 2025, subject to the conditions 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 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)

Sanjay/-

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