

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6184 of 2026

Arising Out of PS. Case No.-112 Year-2025 Thana- SALAIYA District- Aurangabad

Pujan Yadav @ Shivpujan Kumar Son of Satendra Yadav Resident of Village
- Bariawan, P.S. - Salaiya, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad, 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 (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of three cases under the Excise Act
and allegation is of recovery of 200 litres of spirit from a bush.
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 but then is accessible to
villagers at large and he came to be implicated at the instance of
Chowkidar but then it is submitted that once an accused is



implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation. It is also submitted that earlier also in similar manner, the petitioner came to be implicated.

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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-cum-Exclusive Special Judge, Excise-01, Aurangabad (Bihar) in connection with Salaiya P.S. Case No.112 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 bond of the petitioner shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents 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.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.5,000/- with High Court Legal Services Committee, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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