

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14818 of 2026

Arising Out of PS. Case No.-455 Year-2025 Thana- HISUWA District- Nawada

Pappu Kumar @ Pappu Yadav Son of Ramotar Yadav Resident of Village-
Hasanpur, P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar
For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 28-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3. The learned counsel for the petitioner submits that
petitioner has already submitted the requisite fee and second
defect shall be removed during the course of the day by adding
the *alias* name of the father of the petitioner.
4. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases out of which three cases
are under the Excise Act and allegation is of recovery of
110.125 liters of liquor from a place behind the bush near
government canal.



5. Learned counsel for the petitioner submits that petitioner was not apprehended 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 is accessible to public at large and he came to be implicated at the instance of local person, 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 also 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.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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. 25000/- (Rupees Twenty Five 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 Hisuwa P.S. Case No. 455 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. 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 five 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 five cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

