

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6759 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- YADOPUR District- Gopalganj

=====

Bablu Yadav @ Bablu Kumar @ Babalu Yadav Son of Yogendra Yadav @
Jogindra Yadav Resident of Village- Patahara, P.S.- Jadopur (Yadopur),
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-02-2026 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. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases under the excise act and
allegation is of recovery of 286 liters of liquor from Gandak
bridge.
4. 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 Chowkidar, but then it is submitted that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution. It is also submitted that it appears that the Chowkidar in order to save the real culprits falsely implicated the petitioner since petitioner was carrying antecedent under the excise act.

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. 10,000/- (Rupees Ten 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 Yadopur P.S. Case No. 173 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 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.

8. At this stage, the learned counsel for the petitioner, based on instruction, undertakes to deposit an amount of Rs. 5000/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Rishabh/-

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

