

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13374 of 2026**

Arising Out of PS. Case No.-4 Year-2026 Thana- BOKHRA District- Sitamarhi

Sushil Yadav @ Sushil Kumar Yadav Son of Janardan Yadav Resident of  
Village - Mahisautha, Ward no. 12, P.S. - Bokhra, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-03-2026                      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 offence punishable under Section 30(a) of  
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of four cases, out of which, three cases  
are under the Excise Act and allegation is of recovery of 311.46  
litres of liquor from a bush near the house of the petitioner. 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 adjacent to his house and he came to be  
implicated at the instance of chowkidar. It is also submitted that



once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty 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 Bokhra P.S. Case No.4/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than four cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of four



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

(Satyavrat Verma, J)

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