

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12324 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- OBRA District- Aurangabad

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1. Raushan Kumar Son of Jitan Yadav @ Jitendra Yadav Resident of Village -Mahadewa, PS- Obra, District -Aurangabad, Bihar
 2. Dukhan Yadav @ Dipak Kumar Son of Ramji Yadav Resident of Village -Mahadewa, PS- Obra, District -Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Adv.
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a) and 30 (c) of Bihar Prohibition and Excise Amendment Act, 2022.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 225 litres of liquor from Sone diyara area. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to



the petitioners and is accessible to villagers at large and they came to be implicated 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 chowkidar in order to save the real culprit falsely implicated the petitioners, who admittedly are persons with clean antecedent.

4. Learned A.P.P. for the State Mr. Rabindra Kumar opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) each 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 Obra P.S. Case No.09/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of



even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if after verification it is found that petitioners are persons with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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