

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17163 of 2026

Arising Out of PS. Case No.-202 Year-2024 Thana- KESARIA District- East Champaran

Manoj Kumar Yadav S/o Harendra Prasad Yadav @ Harendra Ray Resident
of village - Kadan, P.S.- Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Sri Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 and
273 of Indian Penal Code and Section 30(a) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 228 litres of liquor from a car.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
vehicle. It is next submitted that no prudent person would use



his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged, who fled from the spot. It is also submitted that inadvertently at para-12, it has been pleaded that petitioner is not the owner of the car.

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 Kesariya (Bijdhari) P.S. Case No. 202 of 2024, 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 in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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