

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28794 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- PHULPARAS District- Madhubani

Rocky Yadav @ Rauki Yadav @ Rauki Kumar Son of Radhey Yadav @ Domi Yadav Resident of village - Belha Purnvas P.S.- Phulparas, District - Madhubani at present R/o village - Sundar Virajit, P.S.- Madhepur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-04-2026 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 67.5 litres of liquor from a place in front of the house of 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 based on secret



information which is the easiest way to implicate someone without holding a proper investigation, when petitioner admittedly is a person with clean antecedent.

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.500/- (Rupees five hundred) 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 Phulparas P.S. Case No.18/2026, 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 even one case, 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 is a person with clean antecedent, in that event the provisional anticipatory bail order



shall be confirmed forthwith.

(Satyavrat Verma, J)

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