

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25730 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- SIKARHATTA District- Bhojpur

1. Manju Yadav @ Manju Kumar S/O Mahendra Singh R/O Village- Sikarhatta Bharosi, P.S- Sikarhatta, Distt.- Bhojpur.
2. Arun Yadav @ Arun Kumar @ Arun Jado S/O Dharmendra Singh R/O Village- Sikarhatta Bharosi, P.S- Sikarhatta, Distt.- Bhojpur.
3. Bhim Kumar @ Om Prakash Singh S/O Kameshwar Singh R/O Village- Sikarhatta Bharosi, P.S- Sikarhatta, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prabhat Kumar Singh, Adv
		Ms. Priya, Adv
For the Opposite Party/s :		Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2026 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are persons with clean antecedent and petitioner no. 3 has antecedent of one case under the Excise Act and allegation is of recovery of 15 litres of liquor from Bharosi Tola near Govardhan Hill.

4. Learned counsel for the petitioners submits that the



petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of Chowkidar with whom they are on an inimical term. It is next submitted that if Chowkidar was aware about the involvement of the petitioners 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.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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. 5,000/- (Rupees Five Thousand) 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 Sikarhatta P.S. Case No. 18 of 2026, subject to the conditions as laid down under Section Section 482(2) of the BNSS.



7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner nos. 1 and 2 have antecedent of even one case and petitioner no. 3 has antecedent of more than one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner nos. 1 and 2 are persons with clean antecedent and petitioner no. 3 has antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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