

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25122 of 2026

Arising Out of PS. Case No.-29 Year-2026 Thana- KALYANPUR District- East Champaran

Bikesh Yadav @ Vikesh Yadav S/o Dhruv Rai Resident of Village - Siswa
Kharar,P.S. - Kalyanpur, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Prasad

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases out of which two
cases are under the Excise Act and allegation is of recovery of
60 litres of liquor from a place behind a semi-constructed house
of the petitioner.

4. The learned counsel for the petitioner submits 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 semi-constructed house, as such, he came to be implicated at the instance of Chaukidar with whom he is on an inimical term. It is further submitted that if Chaukidar was aware of the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum 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 Kalyanpur P. S. Case No.29 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of four cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

