

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24686 of 2026**

Arising Out of PS. Case No.-734 Year-2023 Thana- SHERGHATI District- Gaya

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Jitendra Kumar @ Kallu Yadav S/o Dadu Yadav Resident of Mohalla- Gewal  
Bigha Bathan, Police Line Road, Gayaji, P.S.- Rampur, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      20-04-2026                      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 has antecedent of three cases and allegation is of  
recovery of 650 ml of liquor from a car. It is next submitted that  
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 also submitted that the petitioner was completely unaware that Nand Kishore would misuse his vehicle in the manner as alleged who was also apprehended from the spot.

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.15,000/- (Rupees fifteen 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 Sherghati (Dhobi) P.S. Case No.734/2023, 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 more than three cases, 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 has antecedent of three



cases, in that event the provisional anticipatory bail order shall  
be confirmed forthwith.

(Satyavrat Verma, J)

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