

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29619 of 2026**

Arising Out of PS. Case No.-214 Year-2025 Thana- LAUKAHI District- Madhubani

Dinesh Yadav @ Dinesh Kumar Yadav S/o Ramavtar Yadav Resident of  
Village - Tulsiyahi, P.S - Laukahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Ms. Sangeeta Sharma

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

2      05-05-2026                      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 offences punishable under Sections 274, 275  
and 3(5) of the BNS, 2023 read with Section 30(a) of the Bihar  
Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case under the Excise Act and  
allegation is of recovery of 72 liters of liquor from a sack.

4. Learned counsel for the petitioner submits that  
petitioner was not apprehended 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  
and he came to be implicated based on confessional statement of



apprehended accused in police custody which does not have any evidentiary value. It is next submitted that after amendment in the excise act in the year 2018, the concept of deemed possession and presumed offender has been done away with.

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. 5000/- (Rupees Five 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 Laukahi P.S. Case No. 214 of 2025 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 one case 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 one case only, in that event the provisional  
anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

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