

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33589 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- BIHRA District- Saharsa

Suresh Kumar @ Suresh Yadav S/O Gorelal Yadav R/O Vill.- Padampur, P.S-
Bihra, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Ms. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-05-2026 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 offence punishable under Sections 30(a), 38 and 41 of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases, out of which, one case is under the Excise Act and allegation is of recovery of 1120.480 litres of liquor from a rice mill. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and the liquor was recovered from a place adjacent to the rice mill but then he came to be implicated because of his antecedents. It is also submitted that no prudent person would use his own premises



for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that apprehended accused also confessed the name of the petitioner but then the same was done under police pressure because of his antecedents.

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 Bihra P.S. Case No.81/2026, 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 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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