

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52320 of 2026

Arising Out of PS. Case No.-102 Year-2025 Thana- SALAIYA District- Aurangabad

Pappu Kumar @ Ravindra Kumar Yadav @ Pappu Yadav Son of Naresh
Yadav Resident of Village - Jogiya, P.S.- Gurua, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Singh Mr. Saket Kumar Singh Mr/s. Sakshi Deep
For the Opposite Party/s :		Mr. Rajendra Prasad Nat- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-07-2026 1. Heard, Mr. Rakesh Singh, the learned counsel for the petitioner and Mr. Rajendra Prasad Nat, the learned APP for the State.
2. The learned counsel for the petitioner submits that the defects, as pointed out by the office, be ignored. It is submitted that a clerical error has been committed, as such, on the seizure-list the number of the FIR differs, but then, seizure-list is with respect to the instant FIR only.
3. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the defects as pointed out by the office is ignored.
4. 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.

5. The learned counsel for the petitioner submits that the petitioner has antecedent of five cases under the Excise Act and allegation is of recovery of 105 litres of liquor from foot of Chalho Hills.

6. 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 and is accessible to public at large and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term. 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. It is next submitted that petitioner in similar manner earlier also came to be implicated in cases relating to excise.

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

8. 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.25,000/- (Rupees Twenty 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 Salaiya P. S. Case No.102 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

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

(Satyavrat Verma, J)

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