

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30817 of 2026

Arising Out of PS. Case No.-516 Year-2023 Thana- SURSAND District- Sitamarhi

Umesh Rai @ Umesh Yadav S/o Avdhesh Yadav R/o vill- Sursand, Ward No. 14, Police Station- Sursand, District- Sitamadhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-05-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414 of the IPC read with Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases out of which three cases are under the Excise Act and allegation is of recovery of 180 liters of liquor from three different motorcycles.
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 he came to be implicated based on the fact that he is owner of one of the seized vehicles. 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 further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged who also fled from the spot.

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. 20000/- (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 Sursand P.S. Case No. 516 of 2023 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 four cases 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 four cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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