

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30826 of 2026

Arising Out of PS. Case No.-63 Year-2026 Thana- SIRDALA District- Nawada

Ajit Kumar S/o Devendra Yadav @ Devendra Prasad Yadav R/o Village -
Kharaundh, P.S. - Sirdala, Dist. - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nidhi Anand

For the Opposite Party/s : Mr. Rana Randhir Singh

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.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30(a) and
41 of Bihar Prohibition and Excise Amendment Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 106.75 litres of liquor from a sack thrown by
accused persons at village Bhelwatar. It is next submitted 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 villagers at large and he came to be
implicated at the instance of chowkidar with whom he is on an



inimical term. It is also submitted that if chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

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.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 Sirdala P.S. Case No.63/2026, 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 one case, 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 one



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

(Satyavrat Verma, J)

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