

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37470 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- TILAUTHU District- Rohtas

1. Bhanu Kumar @ Anshu Kumar S/O Dara Yadav @ Shiv Kumar Yadav Resident of Village / Muhalla - Maharajganj, P.S- Tilauthu, Dist-Rohtas, State- Bihar
2. Pawan Kumar @ Laddu S/O- Vinod Yadav R/O- Village/Muhalla.- Tumba P.S.- Rohtas, District - Rohtas, State-Bihar
3. Rakesh Kumar @ Rakesh Kumar Yadav S/O- Chandradev Singh @ Chandradev Yadav R/O-Village/Muhalla.- Maharajganj P.S.- Tilauthu, District Rohtas, State-Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State Mr. Rabindra Kumar.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioners submits that petitioners have antecedent of two cases under the Excise Act and allegation is of recovery of 100 litres of liquor from a sack thrown from a motorcycle. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owners of the



seized vehicle and they came to be implicated based on confessional statement of Shakti in police custody which does not have any evidentiary value. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each 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 Tilauthu P.S. Case No.86/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of more than two cases, in that event, it would be presumed that



petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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