

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37409 of 2026

Arising Out of PS. Case No.-178 Year-2026 Thana- MIRGANJ District- Gopalganj

Ramayodhya Yadav S/O Raj bihari Yadav @ Rajbihari Chaudhari Resident of
Vill.- Kharouni Tola Mahui, P.S - Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The state of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2026 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 25.800 litres of liquor from a
motorcycle and from possession of Prince and Himanshu.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the seized vehicle and petitioner has no concern or relation with
Prince and Himanshu and he came to be implicated based on



confessional statement of apprehended-accused in police custody which does not have any evidentiary value.

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. 10,000/- (Rupees Ten 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 Mirganj P.S. Case No. 178 of 2026, 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 two 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 two



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

(Satyavrat Verma, J)

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