

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38044 of 2026

Arising Out of PS. Case No.-143 Year-2025 Thana- PRATAPGANJ District- Supaul

Ram Janam Yadav S/o Bahadur Yadav Resident of Village - Sripur, Ward No. 11, P.S.- Pratapganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-06-2026 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 10 litres of liquor from a motorcycle parked in the courtyard of Kavita Devi and Chandan Kumar.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the fact that he is owner of the seized vehicle. It is further 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 also submitted that petitioner was completely unaware that Chandan Kumar would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Kavita Devi.

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 appearing on behalf of the petitioner, let 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.500/- (Rupees Five Hundred) 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 Pratapganj P.S. Case No. 143 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail



application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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