

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46506 of 2026**

Arising Out of PS. Case No.-97 Year-2026 Thana- GOPALGANJ TOWN District- Gopalganj

Bablu Yadav @ Bablu Kumar Son of Late Birendra Yadav Resident of  
Village- Rampur Tengrahi Dharampur, P.S.- Jadopur @ Yadopur, District-  
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      15-07-2026              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 Sections 132, 109  
and 281 of BNS and Section 30(a) and 41(1) of the Bihar Excise  
Act.

3.    Learned counsel for the petitioner submits that the  
petitioner has antecedent of six cases out of which five cases are  
under the Excise Act and allegation is of recovery of 585 litres  
of liquor from a Bolero vehicle along with a country-made  
pistol and two cartridges.

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. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the FIR has not been instituted under the Arms Act. It is further submitted that brother of the petitioner, Chandan Kumar Yadav had instituted complaint case no. 805 of 2024 in the court of learned CJM, Gopalganj, as would manifest from Annexure-2 to the anticipatory bail application, against the police officials. It is next submitted that learned District Court has taken cognizance against the police officials under Section 307 and 387 IPC in the said complaint case, it is further submitted that since a complaint case has been instituted against the police officials by the brother of the petitioner in which cognizance has been taken, hence the petitioner is being implicated in different false case relating to Excise. It is also submitted that it appears that a separate case has been instituted under the Arms Act.

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. 30,000/- (Rupees



Thirty 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 Gopalganj Town P.S. Case No. 97 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 six case 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 six cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

Sumit/-

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