

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45449 of 2026**

Arising Out of PS. Case No.-10 Year-2026 Thana- PHULWARIYA District- Gopalganj

1. Aankit Yadav Son of Ramashish Yadav Resident of Village- Harpur PS- Mirganj, Dist- Gopalganj
2. Papu Yadav Son of Saryu Yadav Resident of village- Madarwani, Ps- Phulwariya, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deepankar Raj

For the Opposite Party/s : Mr. Madan Kumar- A.P.P.

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

2      09-07-2026                      1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners have antecedent of one case under the Excise Act and allegation is of recovery of 108 litres of liquor from a motorcycle.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and are not the owner



of the seized motorcycle and they came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioners is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five 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 Phulwariya P. S. Case No.10 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of more than one case, then it would be presumed that petitioners for the purposes



of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioners have antecedent of one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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