

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47028 of 2026

Arising Out of PS. Case No.-442 Year-2026 Thana- MAJHAULIA District- West Champaran

1. RAMASHISH YADAV Son of Gudari Yadav Resident of Village- Majhariya, P.S.- Majhauliya, District- West Champaran.
2. Pardeshi Yadav S/o Bachalal Yadav @ Bachchalal Yadav Resident of Village- Majhariya, P.S.- Majhauliya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2026 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 petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case under the Excise Act and the allegation is of recovery of 82.98 litres of liquor from a motorcycle and an E-rickshaw.

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 any of the seized vehicle and they came to be implicated based on confessional statement of Saheb Khan in police custody which does not have any evidentiary value.

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 Majhaulia P. S. Case No.442 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 petitioner no.1 has antecedent of even one case and petitioner no.2 has 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 petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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