

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49212 of 2026

Arising Out of PS. Case No.-52 Year-2025 Thana- Bhatni District- Madhepura

Mantosh Yadav @ Bengwa Son of Late Kari @ Narayan Yadav Resident of
village- Gopalpur ward no. 3 PS -Bhatni District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2026 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 Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of nine cases and allegation is of
recovery of 2743.2 litres of liquor from a truck.

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 he came to be implicated based on secret
information which is the easiest way to implicate someone
without holding a proper investigation. It is next submitted that



of late in the State of Bihar police are implicating accused with criminal antecedents in cases relating to excise for obvious reasons.

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 within a period of six weeks from today, be released on Provisional anticipatory bail on furnishing bail bonds of Rs. 45,000/- (Rupees Forty-five 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 Bhatni P.S. Case No. 52 of 2025, 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 nine 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 nine case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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