

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65210 of 2025**

Arising Out of PS. Case No.-166 Year-2025 Thana- BAIRIYA District- West Champaran

Basant Yadav @ Vasant Yadav S/o Late Rambadai Yadav Resident of village -  
Machhargawan Chowk, P.s.- Bairiya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharad Kumar Verma

For the Opposite Party/s : Ms.Pushpa Sinha

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

- 3      07-01-2026                      1. Heard learned counsel for the petitioner and  
learned APP for the State.
2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that  
the petitioner has antecedent of three cases and allegation is of  
recovery of 116.935 litres of liquor from a motorcycle.
4. The learned counsel for the petitioner submits that  
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 at the instance  
of Chaukidar, but then, it is submitted that if Chaukidar was  
aware of the involvement of the petitioner in the occurrence,



then why he did not inform the police prior to institution of the present 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 petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.15,000/- (Rupees Fifteen 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 Bairiya P. S. Case No.166 of 2025, 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 petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than three cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his 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 has antecedent of three cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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