

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65531 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- Mufassil District- Purnia

Vikky Yadav @ Rahul Kumar @ Rahul Kumar @ Vikky Yadav S/O Uma
Kant Yadav @ Dilip Kumar Singh R/O Village- Belwa Kamat, P.S- Muffasil,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal- Sr. Advocate
Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 07-01-2026 1. Heard learned senior 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 senior counsel for the petitioner
submits that the petitioner has antecedent of nine cases out of
which eight cases are under the Excise Act and allegation is of
recovery of 870.120 litres of liquor from a tractor.
4. The learned senior 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 tractor and he came to be implicated



based on confessional statement of Sonu Rishi in police custody, which does not have any evidentiary value. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

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.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 Mufassil P. S. Case No.159 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 nine 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 nine cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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