**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.75257 of 2026**

**CNR No. BRHC011088942026**

Arising Out of PS. Case No.-120 Year-2026 Thana- PHULPARAS District- Madhubani

==========

Mahesh Yadav @ Mahesh Kumar Yadav S/O Mohan Yadav R/O Village- Bikramrahi, Rahitola, P.S.- Ghogardiha, Distt.- Madhubani.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

**Appearance :**
For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

==========

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

ORAL ORDER

2 30-10-2026 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 Sections 30(a), 38(1) and 41(1) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of 15 cases out of which 10 cases are under the Excise Act and allegation is of recovery of 1.5 liters of liquor from a truck.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized truck And he came to be implicated based

WEB COPY

on secret information which is the easiest way to implicate someone It is also submitted that petitioner in similar manner earlier also came to be implicated in cases relating to Excise.

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 before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 75000/- (Rupees Seventy 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 Phulparas P.S. Case No. 120 of 2026 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 15 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

WEB COPY

verification if it is found that petitioner has antecedent of 15 cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

**(Satyavrat Verma, J)**

Rishabh/-

| | | | |
|---|---|---|---|
| **U** | | T | |

WEB COPY