IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78324 of 2026

CNR No. BRHC011137702026

Arising Out of PS. Case No.-268 Year-2026 Thana- KEWATI District- Darbhanga

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1. Naresh Yadav Son of Shiv Narayan Yadav Resident of village - Balha, P.S.- Keoti, District - Darbhanga.
2. Mukesh Paswan Son of Brahamdev Paswan Resident of village - Balha, P.S.- Keoti, District - Darbhanga.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Saurav Anand
For the Opposite Party/s : Ms. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-11-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of 3 cases, out of which, one case is under the Excise Act and allegation is of recovery of 52 litres of liquor from an auto.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was

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recovered from their conscious possession and are not the owners of the seized vehicle and came to be implicated at the instance of chowkidar with whom they are on an inimical term. It is also submitted that if chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees fifteen 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 Keoti P.S. Case No.268 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent

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of even one case and petitioner no.2 has antecedent of more than three cases, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with respect to those petitioners whose criminal antecedent does not tally but if after verification the criminal antecedent as recorded hereinabove tallies with the petitioners in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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