

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.644 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- TELHARA District- Nalanda

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1. Vinod Yadav @ Vidiyo Sahab @ Vinod Prasad S/o Sohrai Yadav @ Sohrai Prasad R/o Village- Bahuara, PS- Telhara, Dist- Nalanda
 2. Baiju Kumar S/o Kamlesh Prasad R/o Village- Bahuara, PS- Telhara, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-01-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2, Baiju Kumar, who was arrested during pendency of the anticipatory bail application.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2, Baiju Kumar.

5. The petitioner no.1 seeks bail in anticipation of his arrest in a case registered for the offences punishable under



Section 30(a) of the Excise Act.

6. The learned counsel for the petitioner submits that the petitioner no.1 has antecedent of one case and allegation is of recovery of 40 litres of liquor from a place near Sun Temple.

7. 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 even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution.

8. Learned A.P.P. opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, 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.5,000/- (Rupees 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 Telhara P. S. Case No.190 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

11. 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 one case, 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 one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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