

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.388 of 2026

Arising Out of PS. Case No.-164 Year-2025 Thana- Krishnabraham District- Buxar

1. Yogendra Thakur S/o Shiv Bachan Thakur R/o Village - Rehiya, P.S.- Krishna Brahm, District - Buxar
2. Manish Kumar S/o Yogendra Thakur R/o Village - Rehiya, P.S.- Krishna Brahm, District - Buxar
3. Vikash Kumar S/o Yogendra Thakur R/o Village - Rehiya, P.S.- Krishna Brahm, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 889.2 litres of liquor from a truck and a motorcycle. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and are not the owner of any of the seized vehicles



and they came to be implicated at the instance of Chowkidar but then it is submitted that if Chowkidar was aware of the involvement of the petitioners in the occurrence then whey he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution, when petitioners admittedly are persons with clean antecedent.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Buxar in connection with Krishna Brahm P.S. Case No.164 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event,



if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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