

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.364 of 2026

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

Manoj Kumar Yadav @ Manoj Kumar Son of Manbodh Yadav R/o vill.-
Baily, P.S.- Barhatganj, Distt.- 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. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. Petitioner apprehends his 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 petitioner submits that
petitioner is a person 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 petitioner was not arrested from the
spot, as such, nothing was recovered from his conscious
possession and he came to be implicated based on the fact that
he is owner of the seized truck. It is next submitted that no
prudent person would use his own vehicle for committing an
occurrence and thus, would create evidence against himself and



hence, would get implicated and, at the same time, shall bring disrepute to his business. It is also submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged who also fled from the place of occurrence.

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

5. 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-bond in the sum of Rs.500/- (Rupees Five Hundred) 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 petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even 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 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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