

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4958 of 2026**

Arising Out of PS. Case No.-73 Year-2025 Thana- Bathnaha District- Araria

Niraj Das S/o Bilo Das @ Vilo Tatma Resident of Village- Jimrahi, Ward No. 02, P.S.- Bathnaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Zainul Abedin

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

2      02-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in anticipation of his arrest in  
a case registered for the offences punishable under Section 30(a)  
of the Excise Act.

The learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 8.7 litres of liquor from a motorcycle.

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 he came to be  
implicated based on the fact that vehicle was registered in the  
name of his wife and he had given the motorcycle to his friend  
Md. Ashique and thus was not aware that Md. Ashique would



misuse the vehicle in the manner as alleged as he was also apprehended at the spot.

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

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-bonds in the sum of Rs.500/- (Rupees Five Hundred) 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 Bathnaha P. S. Case No.73 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

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.

At this stage, the learned counsel appearing on behalf of the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.1500/- with Advocates' Association, Patna High Court, Patna within a period of two weeks from today.

**(Satyavrat Verma, J)**

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