

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2189 of 2026

Arising Out of PS. Case No.-251 Year-2025 Thana- Excise P.S. District- Saran

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Bijendra Singh @ Bijendra Kumar Singh S/o Shree Madan Singh Resident of
Village- Nayka Barka Baiju Tola, P.S.- Rivilganj, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashad, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 16-06-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a) and
32(3) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of six cases out of which three cases
are under the Excise Act, as would manifest from the
supplementary affidavit. It is next submitted that allegation is of
recovery of 459.240 liters of liquor from the premises of Dhiraj
Kumar.

4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and even alleged



recovery is from a house which does not belong to the petitioner and he has no concern or relation with Dhiraj, but then came to be implicated based on confessional statement of Dhiraj in police custody which does not have any evidentiary value. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

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

6. 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 Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 30000/- (Rupees Thirty 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 Sadar Excise P.S. Case No. 251 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the



event if it is found that petitioner has antecedent of more than six cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of six cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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