

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5242 of 2026**

Arising Out of PS. Case No.-244 Year-2025 Thana- Excise P.S. District- Munger

Nilu Singh @ Nilesh Kumar Son of Sadanand Singh @ Sadanand Chaudhari  
Resident of Village - Garhi Rampur (Gadhi Rampur), Police Station - Naya  
Ram Nagar, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surya Narayan Sah  
For the Opposite Party/s : Mr.Nand Kumar

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

- 2      02-02-2026              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 Section 30(a) of the  
Bihar Excise Act.
3.    Learned counsel for the petitioner submits that the  
petitioner has antecedent of two cases and allegation is of  
recovery of 126 litres of liquor from an e-rickshaw.
4.    Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and is not the owner of  
the seized e-rickshaw and he came to be implicated at the  
instance of spy but then it is 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 provided by spy 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. 10,000/- (Rupees Ten 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 Excise P.S. Case No. 244 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 two 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 two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

**8.** At this stage, the learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs. 2,500/- with Patna High Court Legal Services Committee, Patna within a period of two weeks from today.

**(Satyavrat Verma, J)**

Sumit/-

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