

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15554 of 2026

Arising Out of PS. Case No.-176 Year-2025 Thana- MADHWAPUR District- Madhubani

Vijay Sah @ Vijay Kumar Shzh S/o Brijmohan Sah R/o - Shubhmkarpur Bira,
P.S - Darbhanga Sadar, District - Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-03-2026 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 274 and 275 of IPC and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 39.455 liters of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and came to be implicated based on the fact that he is owner of the seized vehicle. 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. It is also submitted that petitioner was totally unaware that Balram would misuse the vehicle in the manner as alleged in the FIR.

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 within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds 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 Madhwapur P.S. Case No. 176 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 even one case 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 is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Gaurav Sinha/-

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