

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43357 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- KARJA District- Muzaffarpur

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Vijay Singh @ Bijendra Singh S/o Sunil Singh R/o Vill- Phanda @ Bishunpur
Phanda, P.S.- Karja, Distt- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha
For the Opposite Party/s : Mr. Kanhiya Kishor

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2026 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 offence punishable under Sections 30(a), 41,
47 of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases under the Excise Act and
allegation is of recovery of 4274.160 litres of liquor from four
different vehicles. It is next submitted that petitioner was not
arrested from the spot as such nothing was recovered from his
conscious possession and is not the owner of any of the seized
vehicles and he came to be implicated at the instance of
chowkidar with whom he is on an inimical term. It is also



submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either through chowkidar, local person, confessional statement or secret information without holding a proper investigation.

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

5. 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.25,000/- (Rupees twenty five 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 Karja P.S. Case No.46/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than five cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if



on verification it is found that petitioner has antecedent of five cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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