

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48202 of 2026

Arising Out of PS. Case No.-223 Year-2026 Thana- BAHERI District- Darbhanga

Niraj Kumar Singh S/O Shiv Shankar Singh Resident of Village-
Thathopur, P.S.- Baheri, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rambabu Yadav, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baheri P.S. Case No.-223 of 2026 F.I.R dated 16.04.2026 registered for the offences punishable under Sections 318(4), 338, 336 (3), 340 (2), 3 (5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution case, on 15.04.2026, during night patrolling, the police received information that a white Scorpio was transporting illegal foreign liquor. Acting on the tip-off, the police intercepted the vehicle near Thathopur, but the driver abandoned the vehicle and fled. On search, 1077 bottles (180 ml each) of Blue Stroke Exquisite Whisky, totaling 193.86



litres, and a Vivo mobile phone were recovered from the vehicle. The fleeing person was allegedly identified by a local Chowkidar as Neeraj Kumar Singh. And accordingly the F.I.R.

4. Learned counsel for the petitioner submits that the recovery is made from Scorpio bearing Registration No. BR33M6057 which does not belong to this petitioner and even the mobile phone bearing No. 7991180859, which is said to have been used during the course of the alleged offense is also not related to this petitioner and merely on the basis of the statement of the *chowkidar*, he has been implicated in this case, looking to his past criminal antecedents, in which he is on bail in all the five cases. It is the case of the petitioner that neither the seized articles, which are said to have been recovered, belong to this petitioner nor has been recovered from the constructive possession of this petitioner.

5. Learned APP for the State opposes the prayer for anticipatory bail application in respect of this petitioner.

6. Considering the fact that the Scorpio vehicle from where the recovery is said to have been made does not belong to this petitioner and is in no way connected with the seized articles, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.



7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise 1st, Darbhanga in connection with the aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again,



*failing which the State shall be at liberty to
take steps for cancellation of their bail
bonds.*

(Ajit Kumar, J)

surya/-

U		T	
---	--	---	--

