

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49759 of 2026

Arising Out of PS. Case No.-375 Year-2025 Thana- KESARIA District- East Champaran

Kirani Rai S/O Jamadar Rai R/O Village- Kadhan, P.S.- Kesariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 274 and 275 of the BNS, 2023 read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that inadvertently in the instant regular bail application, a relevant fact that petitioner had earlier approached this Court seeking anticipatory bail, could not be pleaded. It is submitted that petitioner had earlier moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 85028 of 2025 and the same came to be allowed by an order dated 22.01.2026 with a condition that petitioner would be released on provisional anticipatory bail and thereafter his criminal antecedent would be



verified and if it would be found that petitioner has antecedent of even one case, in that event the order dated 22.01.2026 in Criminal Miscellaneous No. 85028 of 2025 shall not be given effect to. It is submitted that petitioner in Criminal Miscellaneous No. 85028 of 2025 at Para-3 had pleaded that he is a person with clean antecedent when he has antecedent of 11 cases. The learned APP next submits that petitioner tried to obtain privilege of anticipatory bail by concealing his antecedent, on which learned counsel appearing on behalf of the petitioner submits that petitioner surrendered, but when his criminal antecedents were verified, the provisional anticipatory bail was not given effect to.

4. The learned APP for the State, at this stage, submits that if privilege of regular bail is granted to the petitioner, the petitioner may abscond and allegation is of recovery of 120 liters of liquor from a place near *diyara* area.

5. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail, as he had approached this Court earlier seeking anticipatory bail by concealing his criminal antecedent and if the privilege of regular bail is granted to the petitioner, the petitioner may abscond, as such, **the regular bail application is dismissed.**



6. However, the petitioner would be at liberty to
renew his prayer for regular bail after framing of charge.

(Satyavrat Verma, J)

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