IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74788 of 2026

CNR No. BRHC011037932026

Arising Out of PS. Case No.-304 Year-2023 Thana- BAHERA District- Darbhanga

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Nandu Thakur @ Nand Kumar S/o Santosh Thakur @ Santhosh Kumar Thakur R/o Village - Majhaura Bahera, P.S - Bahera, District - Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Kanchan Jha
For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-11-2026 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in Bahera P. S. Case No.304 of 2023 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 25 litres of liquor from a motorcycle.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and

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he came to be implicated based on the fact that he is owner of the seized motorcycle. It is next submitted that petitioner prior to the occurrence had sold the vehicle to one Dinesh,

5. At this stage, the learned A.P.P. submits that from perusal of the pleadings made in the anticipatory bail application, it would manifest that the same does not even remotely suggest that the ownership of the vehicle was transferred in the name of Dinesh or Form 29/30 of the M.V. Act was filled. It is next submitted that if plea of the petitioner is accepted, in that event, Dinesh will become an accused. It is also submitted that it might be a ploy of the petitioner to seek anticipatory bail. It is next submitted that Court is liberal in granting anticipatory bail and regular bail in cases relating to excise, but when a plea reflects that it might be a ploy for seeking anticipatory bail by taking the aforesaid plea which is not substantiated by any legal documentary evidence in such cases the Court should refrain. It is further submitted that investigation of the case is still continuing.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the

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privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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