

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77295 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Bholadani Singh @ Bholadani Kumar Singh S/o- Chanardeep Singh R/o-
Bharwa PS- Suppi District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-02-2026 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 offences punishable under Section 317(5) of
BNS and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
defects as pointed out by the office stands removed except the
defect no. 6(2), for which the learned counsel submits that the
said defect be ignored.

4. In view of the submission made by learned counsel
for the petitioner, the defect no. 6(2) as pointed out by the office
is hereby ignored.

5. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of



recovery of 58.3 litres of liquor from a motorcycle.

6. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he 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 further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged, who also fled from the spot.

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

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on Provisional anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Majorganj P.S. Case No. 246 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



9. 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 more than two cases 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 has antecedent of two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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