

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87163 of 2025

Arising Out of PS. Case No.-167 Year-2024 Thana- Excise Thana Hajipur District- Vaishali

1. Jitendra Kumar @ Jitendra Kumar Singh @ Jitendra Singh S/o Ram Pukar Singh R/o Village - Daudnagar, Ward no.- 6, P.S.- Bidupur, District - Vaishali
2. Amit Kumar @ Ajit Kumar S/o Bashisht Singh @ Bashisht Narayan Singh R/o Village - Madaripur, Ward no.- 10, P.S.- Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aniket Singh
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-01-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners submits that the defects as pointed out by the office stands removed as the criminal antecedents of the petitioners have been rectified.

3. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 32(1),(3), 41(1),(2) of the Excise Act.

4. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases and allegation is of recovery of 319.680 litres of liquor from a tractor.



5. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and are not the owner of the seized tractor and they came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

6. Learned A.P.P. opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each 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 Hajipur Excise P. S. Case No.167 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall



verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of more than one case and petitioner no.2 has antecedent of more than two cases, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner no.1 has antecedent of one case only and petitioner no.2 has antecedent of two cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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