

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89251 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- Excise P.S. District- Rohtas

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Digvijay Narayan Yadav @ Digvijay Narayan Singh @ Digya Vijay Narayan
Singh @ Digvijay Singh S/O Late Ganesh Yadav R/O Village- Rampur Joi,
PS- Shivsagar, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-01-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) and 37 of the Excise Act.
3. The learned counsel appearing on behalf of the
petitioner submits that by order dated 22.12.2025 when case
diary was called for, but the same till date has not been received.
4. The Court will not wait endlessly for the case diary.
5. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases and allegation is of
recovery of 09 litres of liquor allegedly thrown by the petitioner
outside his house.



6. 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 even alleged recovery is from a place, which does not belong to the petitioner but then is adjacent to his house. It is further submitted that off late, police has started mechanically implicating those accused who have antecedent without holding a proper investigation.

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

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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.20,000/- (Rupees Twenty 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 Excise Case No.1709 of 2025 arising out of Sasaram Excise P. S. Case No.485 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

10. It is made clear that the learned trial Court



after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his 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 has antecedent of four cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

11. At this stage, the learned counsel appearing on behalf of the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.5,000/- with Advocates' Association, Patna High Court, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

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