

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77899 of 2024**

Arising Out of PS. Case No.-398 Year-2023 Thana- JAYNAGAR District- Madhubani

Amit Kumar Son of Ram Narayan Thakur R/O Vil.- Pachrukhi, P.S.- Lalganj,  
Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravindra Kumar Singh  
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      28-11-2024      1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Jaynagar P.S. Case No. 398 of 2023 dated 23.09.2023 registered under Sections 272, 273 & 414 of the I.P.C. and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per the first information report a total quantity of 13.065 liters of Nepali foreign liquor has been recovered from the stolen Glamour motorcycle of the petitioner bearing Registration No. RJ13SJ3859.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. The petitioner has been implicated only because he happens to be the registered owner of the motorcycle in question. Learned counsel submits



that the Glamour motorcycle in question was stolen from the premises of Bajaj Finance, Darbhanga where the petitioner works as Branch Manager for which the petitioner submitted an application before the local police station but the police did not register any case in respect of theft of the Glamour motorcycle of the petitioner. At the time of occurrence the petitioner was not driving the vehicle in question. He further submits that during search and seizure the Police did not follow the procedures prescribed under Section 100 Cr.P.C. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that petitioner was not driving the motorcycle at the time of occurrence and he has got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jaynagar P.S. Case No. 398 of



2023 corresponding to G.R. No. 1419 of 2023 subject to the  
condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

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