

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13522 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- MALSALAMI District- Patna

Kanchan Kumar Son Of Fudina Rai Resident Of Village-Sukumarpur, Police
Station-Raghopur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Malsalami P.S. Case No. 62 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 150 liters of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been



recovered from the possession of the petitioner. It is submitted that motorcycles in question do not belong to the petitioner. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person namely, Vikash Kumar. The petitioner has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted anticipatory bail by this Court *vide* order dated 20.07.2024 passed in Cr. Misc. No. 52488 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on 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 court below where the case is pending/successor



court in connection with Malsalami P.S. Case No. 62 of
2024, subject to the conditions as laid down under Section
482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

