

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15508 of 2025

Arising Out of PS. Case No.-235 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

=====

Abhishek Kumar S/o- Vijay Kumar Yadav Resident of village- Simri PS-
Bisfi District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Madhubani Town P.S. Case No. 235 of 2019, lodged on 01.07.2019, under Sections 272/273/414 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 10.560 litres of foreign liquor and 24 litres of Nepali liquor from a Honda Shine CB-125 motorcycle has been the subject matter of



the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner is not named in the FIR. Counsel submits that he has been living in Surat for five years and at the time of leaving his native place the petitioner has given his Honda Shine motorcycle to his co-villager/friend for using it and he has no idea that he would be indulging in such criminal activities. Counsel submits that petitioner's name has come in this case due to being owner of the motorcycle. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Madhubani



Town P.S. Case No. 235 of 2019, subject to the conditions as
laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./-

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

