

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31413 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Parma Gupta @ Parmanand Kumar S/O Krishna Sah Resident of Village-
Fateh Tola, P.S- Turkauliya, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Piprakothi P.S. Case No. 29 of 2025 registered for the offences punishable under Sections 274, 275, 123, 110 of the B.N.S. and Section 30(a) Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 500 liters of illicit spirit from the *bathan* of the co-accused Lakhindra Kumar.

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. The petitioner was neither apprehended on spot nor anything



incriminating has been recovered from his conscious possession. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused Lakhindra Kumar before the police. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused has been granted regular bail by this Court vide order dated 29.04.2025 passed in Cr. Misc. No. 28337 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, 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 Piprakothi P.S. Case No. 29 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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