

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42359 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- KISHANPUR District- Supaul

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Anil Kumar @ Anil Kumar Mehta S/O Hari Narayan Mehta R/O Gadhiya,
Ward No.-08, P.S-Bhaptiyahi, Distirct- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 22-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kishanpur P.S. Case No. 230 of 2024, instituted under Sections 317(5), 132 of the B.N.S. and Sections 45, 48, 52 of the Bihar Prohibition and Excise Act.

3. On getting secret information that the petitioner and one Anuj Kumar have sent two persons on a Bullet motorcycle (without number plate) for purchasing liquor near Manjhari Chowk, Nirmali, police party reached there and apprehended two persons, namely, Rakesh Kumar and Lochan Kumar. It is alleged that Rs. 6 lakhs was recovered from a bag kept in the hand of co-accused Lochan Kumar.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case being owner of the said motorcycle. The petitioner had purchased the said motorcycle on 05.08.2024 and the same is registered in his name. There is no question of any allegation that motorcycle was stolen. Petitioner had given the said motorcycle to his neighbour and only on the basis of suspicion the same was seized. The seized motorcycle has been released in favour of the petitioner, being owner of the said motorcycle, by the District Collector, Supaul on the ground that no incriminating material or liquor was recovered from the said vehicle. It is also not proved that the alleged money was for the purchase of liquor. Petitioner has no criminal antecedent. He undertakes to co-operate in the investigation and trial. Similarly situated co-accused, namely, Anuj Kumar has already been granted anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 22.05.2025 passed in Cr. Misc. No. 34082 of 2025.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.-01, Supaul in connection with Kishanpur P.S. Case No. 230 of 2024, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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