

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37866 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- MEHSI District- East Champaran

Kanhaiya kumar S/o Ramnarayan Sah R/o vill - Kantaha, P.S.- Mehshi, Distt.-
East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-06-2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with Mehshi P.S. Case No. 34 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution through the informant is that on secret information on 21.02.2025, 23.040 litres of English liquor was recovered from the HF Deluxe motorcycle bearing Registration No. BR-06-BL-7379 of the petitioner and arrested co-accused told about the petitioner and the petitioner fled away.

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 of the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that motorcycle in question does not belong to the petitioner. It is further submitted that the name of the petitioner has transpired on the basis of the confessional statement of apprehended co-accused Suraj Kumar Jaiswal. It is next submitted that motorcycle belongs to Krishna Shah who is none other than the brother of the petitioner. The petitioner has no criminal antecedent.

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 and the fact that the petitioner is not the owner of the motorcycle from which liquor has been recovered, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of four 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 Mehshi P.S. Case No. 34 of 2025, subject to the conditions as laid down



under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita.

(Anil Kumar Sinha, J)

Raj Ranjan/-

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