

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.36531 of 2025

Arising Out of PS. Case No.-277 Year-2016 Thana- HISUWA District- Nawada

Krishna @ Krishan Kumar @ Krishan S/O Sri Ishwar Resident of village-
Ashawarpur, PS- Rai, Distt-Sonipat

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 23-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Hisuwa P.S. Case no.277 of 2016 registered under Section
414 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the prosecution case, 2070.72 liters of
foreign liquor was recovered from a truck bearing Registration
No. HR69A5923 which was driven by one Tarachand.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner
is not named in the F.I.R and cause of his false implication is
only for the reason that he happens to be the registered owner of
the seized truck. No recovery has been made from the physical
conscious possession of the petitioner. He further submits that
the petitioner had given the said truck to one Sukhdeo Kumar on
rent and the petitioner has no knowledge that the said truck was



being put to some illegal use. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground the petitioner is the owner of the seized truck.

6. At this stage, the petitioner is agreed to deposit a sum of Rs. 10,000/- in Advocate Association of the Patna High Court, Patna.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Hisua P.S. Case no.277 of 2016 on furnishing bail bond 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, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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