

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42395 of 2025

Arising Out of PS. Case No.-183 Year-2023 Thana- CHANDAN District- Banka

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Krishna Nandan Mahto @ Krishnandan Mahto S/o Vilayati Mahto R/o
Village- Ram Tola, Aunta, P.O. and P.S.- Hathidah, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 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 "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehend his arrest in connection with Chandan P.S. Case No.183 of 2023 lodged on 16.11.2023, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution, the total recovery of 1616.22 liter of illicit wine has been made from a pick-up van, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. He further submits that the said alleged recovered has been given by a pick-up van and petitioner is owner of the same. He further submits that petitioner is completely unaware that what is going on with his vehicle as his vehicle was taken by one Vikky Kumar for 12 months.

5. Counsel submits that the criminal antecedent of the petitioner is clean and vide annexure-P/2 of the bail petition, it transpires that the said vehicle was handed over to Vikky Kumar who has taken responsibility of all wrong.

6. Learned APP for the State opposes the prayer for bail and submits that antecedent may be clean, but Annexure-P/2 may not be relied upon due to the reason that consideration of money has not been indicated here. He further submits that document has been prepared only with a view to defend the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within



4 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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