

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62036 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- Excise P.S. District- Supaul

Kanhaiya Kumar S/o Krishnandan Kamat Resident of Village- Sukhpur Ward
No. 09, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Excise Supaul Police Station Case No. 144 of 2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 27.05.2025, informant got secret information that one Lalit Kumar and Kanhaiya Kumar were selling illicit liquor. On such information, informant along with police force reached at the place of occurrence, two persons attempted to flee on a motorcycle. One person, identified as Lalit Kumar, was apprehended with 6 liters of country-made liquor, while the other, Kanhaiya Kumar fled away due to



darkness. Apprehended person disclosed the name of Kanhaiya Kumar (petitioner) who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the basis of confessional statement of arrested co-accused person. Petitioner has no concern with the seized motorcycle or liquor and petitioner is neither the owner nor the driver of the alleged seized motorcycle. No incriminating article has been recovered from the conscious physical possession or premises of the petitioner. Petitioner is having no criminal antecedent.

5. Having regard to the submissions made by the parties and taking into consideration the justification given by the petitioner and the fact that nothing has been recovered from the conscious physical possession or vehicle of the petitioner and he is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond 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.2, Supaul, in connection with Excise Supaul
Police Station Case No. 144 of 2025, subject to the condition
laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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