

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61926 of 2025**

Arising Out of PS. Case No.-65 Year-2025 Thana- RS P.S. District- Madhubani

Shivesh Kumar @ Shivesh Kamat S/o Satyanarayan Kamat R/o Village-  
Adalpur, PS- RS Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, 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 Jhanjharpur Police Station Case No. 65 of 2025, disclosing offence under Sections 274, 275 and 3(5) of BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 04.07.2025, the informant received secret information that the petitioner along with two co-accused, was engaged in selling of illicit liquor at Adalpur beside the main road. Acting on this information, the police party proceeded towards the place of occurrence. On noticing the police vehicle, three persons attempted to flee away and succeeded in the same. Upon search, a total of 576 litres of



Nepali liquor was recovered, kept in 16 sacks.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. Learned counsel further submits that the name of the petitioner has surfaced in this case on the disclosure made by local people and chaukidar who has inimical relation with the petitioner. Learned counsel next submits that on perusal of the FIR, it would be evident that no recovery was made from the conscious possession or premises of the petitioner. Petitioner was not arrested on the spot and there is no material to connect the petitioner in the alleged crime. Petitioner is having one 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 possession or premises of the petitioner, 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 Special Judge, Excise Act,  
Jhanjharpur, Madhubani, in connection with Jhanjharpur Police  
Station Case No. 65 of 2025, subject to the condition laid  
down under Section 482 (2) of the B.N.S.S.

**(Anil Kumar Sinha, J)**

Siwani/-

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