

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77170 of 2025**

Arising Out of PS. Case No.-281 Year-2025 Thana- ALOULI District- Khagaria

- 
1. Rohit Kumar S/o Arun Sah R/o ward no. 4, Mohara Ghat, P.O.- Mohra Ghat, Chhera Khera, P.S- Alauli, Distt- Khagaria, Bihar
  2. Mithun Kumar S/o Nakul Sah R/o vill - Pachhim Bari Tola, P.O. - Mohraghat, Chera Khera Khagaria Chhera Khera PS- Alauli (Bihar),

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioners : Mr. Ajit Kumar Sinha, Advocate

For the State : Mr. Parmeshwar Mehta, APP

---

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      11-12-2025                      Heard learned counsel appearing on behalf of the  
  
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case  
  
registered for the offence punishable under Section 303(2) of the  
  
B.N.S. and Section 7 of the Essential Commodities Act.

3. As per prosecution case, Petitioner No. 1 is owner  
  
and Petitioner No. 2 is driver of the tractor which was seized  
  
loaded with 40 bags of *Arwa* rice which was taken for the  
  
purpose of black marketing.

4. It is submitted by learned counsel appearing on  
  
behalf of the petitioners that petitioners are quite innocent and



have committed no offence. As a matter of fact, petitioners have falsely been implicated in this case merely because Petitioner No. 1 is owner and Petitioner No. 2 is driver of the seized tractor. Petitioners are not P.D.S. dealer and were not aware of the nature of consignment and have got no concern with the seized grains. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 281 of 2025, subject to condition as laid down under Section



482(2) of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

