

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86043 of 2024

Arising Out of PS. Case No.-178 Year-2019 Thana- KADWA District- Katihar

Abhinandan Kumar @ Abhinandan Mahaldar Son of Birendra Mahaldar R/o-
Village- Godhia, PS- K. Nagar , Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 30-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Kadwa P.S. Case no.178 of 2019 registered under section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2022.

3. As per the prosecution case, the informant states
that on seeing police personnel the accused left his motorcycle
and managed to escape. On search, a total of 6.660 liters of
foreign liquor is said to have been recovered from the said
motorcycle.

4. Learned counsel for the petitioner submits the
petitioner has been falsely implicated in the case only for the
reason that he happens to be the registered owner of the said



vehicle. However, learned counsel for the petitioner further stated in paragraph no. 8 to the petition that one Manish Kumar borrowed his motorcycle from the petitioner requesting that he had to go to Katihar for medical treatment of his father and hence, the petitioner has no knowledge that his motorcycle was put to some illegal use. No recovery has been made from physical or conscious possession of the petitioner. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner has one criminal antecedent. In response, learned counsel for the petitioner submits that he is on bail on the said case.

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 Kadwa P.S. Case no.178 of 2019 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 District & Sessions Judge-cum-Exclusive Special, Excise Court No. 2, Katihar, 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 and subject to the further condition that:-

(I) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the submission of the charge-sheet.

(II) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

Harsh/-

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