

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12689 of 2026

Arising Out of PS. Case No.-399 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Shankar Jha S/o Dwarika Nath Jha Resident of B Block, Santoshpur Govt Colony, P.S.- Maheshtala (M), South 24 Parganas, West Bengal -PIN 700142.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Iqbal
For the State : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-03-2026 1. 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 Durgawati Police Station Case No. 399 of 2024, disclosing offences under Sections 303(2), 318(4), 316(2), 316(5) and 3(5) of the BNS.
3. As per the prosecution case, the informant, who is the Manager of Yash Lakshmi Solvent Pvt. Ltd., had booked a vehicle from the transporter, M/s Anjali Enterprises. A tanker bearing Registration No. NL04D-7985 was provided by the transport company, on which 33.600 tons of rice bran oil was loaded on 16.12.2024 for transportation to Vaibhav Edible Oil, Kanpur, under Bilti No. 31/24/25. However, on 20.12.2024 at around 12:00 PM, the informant received a phone call from the



owner of the tanker stating that the driver has abandoned the tanker near Chakand, Gaya, and that the tanker was found empty.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He is not named in the FIR and is merely the owner of M/S Anjali Enterprises, a transport company from which the tanker was arranged for transportation of the consignment in question. The owner of the tanker has also lodged an FIR, being Chakand P.S. Case No. 344 of 2024. The petitioner is neither the owner of the vehicle nor was the driver of the tanker provided by the petitioner's transport company. The petitioner's role was limited to providing logistical support. The entire consignment was entrusted to the tanker owner and the driver; therefore, no criminal liability can be attributed to the petitioner.

5. On the other hand, learned APP for the State submits that from perusal of the impugned order, it appears that the learned Sessions Judge, Kaimur at Bhabhua had observed that the petitioner is not named in the FIR and there is no mention of his involvement in the case diary, available on record.

6. Having regard to the submissions made on



behalf of the parties and taking into consideration the fact that the prosecution has submitted that since the petitioner’s name and involvement is not apparent and he has no apprehension of arrest at this stage, this application is disposed of as not maintainable at present with liberty to the petitioner to approach the Court of Sessions again if there is any apprehension of arrest in future.

(Anil Kumar Sinha, J)

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