

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16166 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- Kavaiya District- Lakhisarai

Nande Saw @ Nand Lal Saw, S/o Saudagar Saw, R/o - Sansar Pokhar, Ward
No. 19, P.S - Kabaiya, District -Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-04-2026

Heard the parties.

2. The petitioner apprehends his arrest in connection with Kabaiya P. S. Case No. 137 of 2025 registered for the offences punishable under Sections 303(2) and 317(2) of the B.N.S. and Section 7 of the Essential Commodities Act.

3. Learned counsel for the petitioner submits that as per the allegation, 65 bags of fortified rice were recovered from a particular vehicle bearing registration no. BR21 GB 1483 and it is not a case of the prosecution that petitioner was travelling in the said vehicle. The petitioner has been made accused mainly on the basis of disclosure made by the driver of the said vehicle regarding his alleged involvement in the commission of the alleged offence but except this, there is no material against him. It is further submitted that the petitioner is neither a dealer of the alleged subsidized rice nor the owner of the said vehicle and



his past is completely clean. It is lastly submitted that co-accused, namely Rajniti Kumar, who was the driver of the alleged vehicle, has been granted bail by the coordinate Bench of this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 46565 of 2025.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Kabaiya P. S. Case No. 137 of 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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