

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35097 of 2026

Arising Out of PS. Case No.-5 Year-2026 Thana- RUPO District- Nawada

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Anuj Kumar @ Anoj Kumar Son of Yogendra Yadav Resident of Village-
Sokhodewra, P.S.- Kawakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Rupow P.S. Case No. 05 of 2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant saw two persons riding on a motorcycle and in between both the persons, there was a sack. It has been alleged that upon seeing the informant and the police party, both the persons started to flee away but one person namely, Krishna Kumar, was arrested at the spot, who disclosed the petitioner to be the person who had fled away from the place of occurrence.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that a total quantity of 70 liters of country made liquor was recovered from the dickey as well from the sack. It has further been submitted that the petitioner was not arrested at the spot. Learned counsel for the petitioner has submitted that the name of the petitioner transpired solely on the basis of the confessional statement of the co-accused before the police while in police custody. It has further been submitted that the search and seizure have not been followed as per the provisions of Section 105 of the BNSS. It has further been submitted that the petitioner is not the owner of the motorcycle in question from which the alleged recovery has been made.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail 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 court concerned,



in connection with Rupow P.S. Case No. 05 of 2026, subject to
the conditions as laid down under Section 482(2) of the Bharitya
Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

(Praveen Kumar, J)

niku/rajesh/-

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