

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34730 of 2026

Arising Out of PS. Case No.-42 Year-2025 Thana- AAYAR District- Bhojpur

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Anil Kumar S/o Janardan Baitha Resident of Village - Sultanpur, P.S.
-Garhani (Agiaon), District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Malti Kumari, Adv

For the Opposite Party/s : Mr.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Aayar P.S. Case No. 42 of 2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, allegedly during the vehicle checking, the informant, found two persons approaching towards them on a motorcycle. On suspicion, the motorcycle was stopped, the person seated on the back of the motorcycle fled away after throwing the bundle and from that the driver of the motorcycle namely, Amrendar Kumar, was apprehended, who disclosed the name of the petitioner to be the person, who fled away from the place of occurrence and a bottle of 750 ml of



foreign liquor was recovered.

4. Learned counsel for the petitioner has submitted that nothing has been recovered from the conscious possession of the petitioner. It has further been submitted that the petitioner is not the owner of the motorcycle in question. It has further been submitted that the search and seizure are in violation of Section 105 of the BNSS. It has further been submitted that, except for the confessional statement of the co-accused made before the police while in police custody, there is no material against the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedent.

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 Aayar P.S. Case No. 42 of 2025, 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)

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