

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46548 of 2026

Arising Out of PS. Case No.-244 Year-2023 Thana- AMBA District- Aurangabad

Nitin Mehta S/O Surendra Mehta R/O Village- Dadhapi, P.S.- Madanpur,
District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 23-07-2026 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner seeks anticipatory bail in connection with
Amba P.S. Case No. 244 of 2023, registered for offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation in the F.I.R. is that recovery of 40 litres
of country-made liquor was made from a motorcycle driven by co-
accused Nishant Kumar. The petitioner has been arrayed as an
accused on the ground that he is the owner of the said motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent, has been falsely implicated, and possesses
clean antecedents. It is submitted that nothing has been recovered
from the conscious possession of the petitioner. Further, attention of
this Court is drawn toward paragraph 7 of the petition, wherein a
specific averment has been made that the petitioner had given his
motorcycle to co-villager Nishant Kumar, who in turn misused the



same.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Having considered the rival submissions, the clean antecedents of the petitioner, the fact that no recovery was made from his conscious possession, and the specific averment made in paragraph 7 of the petition, this Court is inclined to allow the present application.

7. Accordingly, in the event of arrest or surrender before the learned Court below within four weeks from today, the petitioner above-named shall be released on anticipatory bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of the learned District & Additional Sessions Judge-Cum-Exclusive Special Judge, Excise Court No.-1, Aurangabad, Bihar in Amba P.S. Case No. 244 of 2023, subject to the conditions laid down under Section 482(2) of the BNSS.

(Ranjan Kumar Jha, J)

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