IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74828 of 2026

CNR No. BRHC011040972026

Arising Out of PS. Case No.-109 Year-2026 Thana- DINARA District- Rohtas

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Vikash Kumar Son of Sanjay Sah Resident of village - Dinara (Actual village is Girdhariya), Police Station - Dinara, District - Rohtas.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-11-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 7 of the E.C. Act, 1955.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is that petitioner is proprietor of Roti Restaurant and was found using domestic gas cylinder in his Roti Restaurant at Dinara.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that empty gas cylinder was kept in the restaurant for being filled up and the same was sent from

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home, but then the informant despite being aware of the fact falsely implicated the petitioner. It is also submitted that offences for which the instant FIR has been instituted carries punishment of seven years and less, but then police has not given notice under Section 35(3) of the BNSS, it is further submitted that similarly situated co-accused Binod Kumar Gupta also came to be implicated in a similar case being proprietor of Ashirwad Restaurant. It is next submitted that Binod Kumar Gupta has been granted the privilege of anticipatory bail by an order dated 29.08.2026 in Criminal Misc. No. 61168 of 2026 by a learned Co-ordinate Bench. It is thus submitted that case of the petitioner is not akin is similar to the case of Binod Kumar Gupta.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection

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with Dinara P.S. Case No. 109 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

Nitesh/-

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