**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.77350 of 2026**

**CNR No. BRHC011125662026**

Arising Out of PS. Case No.-640 Year-2026 Thana- RAMKRISHNANAGAR District- Patna

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Anish Kumar @ Satish Kumar Son of Sachidanand Sharma, Resident of Village- Dhondhari, P.S.- Ghoshi, District- Jehanabad.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Prasoon Shekhar, Advocate.
Mr. Ankit Kumar, Advocate.
Mr. Shwetank Singh, Advocate.
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**

ORAL ORDER

2 05-11-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ram Krishna Nagar P.S. Case No.640 of 2026 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 2.750 litres of illicit foreign liquor from a Splendor motorcycle bearing Registration No.BR01FL7207 kept in a backpack. It is alleged that accused person who was riding the said motorcycle though tried to flee away, but was apprehended from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this

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case due to being the registered owner of the motorcycle in question. He further submits that the younger brother of petitioner, namely, Navneet Kumar who reside in the same house had taken his motorcycle and misused the same, about which he had no knowledge. Learned counsel submits that petitioner was neither present on the spot nor he has any concern with the alleged seized liquor. He further submits that no incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel submits that petitioner managed to earn his livelihood by working in a private job and he has no concern with the criminal act of his brother. He further submits that although petitioner has three criminal antecedents, however, he is on bail in all the case and he undertakes to cooperate in the investigation and trial of the case.

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

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing

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bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge (Excise-II), Patna/ concerned Court in connection with Ram Krishna Nagar P.S. Case No. 640 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

**(Sunil Dutta Mishra, J)**

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