

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83868 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- DESARI District- Vaishali

Mithlesh Kumar S/o Ranjit Ray R/o Village - Bajitpur Sahdat Ward no - 15,
P.S - Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-02-2026 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Desari (Chandpura) PS Case No. 324 of 2024 registered for the
offences punishable under Section 317(5) of BNS and Section 30(a)
of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 6000 kg of powdered hemp from a truck.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of the
seized truck rather petitioner is owner of Laxmi Enterprises and is
involved in transport business and hires vehicles and books the goods
and gets them delivered. It is next submitted that similarly situated



Chandan had approached this Court seeking anticipatory bail by filing Cr. Misc No. 69361 of 2025 and the same came to be allowed by an order dated 9-10-2025 by a learned Co-ordinate Bench.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the order dated 9-10-2025 in Cr. Misc No. 69361 of 2025, it would manifest that the learned Co-ordinate Bench while granting anticipatory bail to Chandan had taken note of the fact that Chandan had provided the truck to petitioner for providing transportation, but then was not aware what materials the petitioner would transport by the truck which he had provided. It is thus submitted that case of the petitioner is not similar to the case of Chandan and large amount of hemp is alleged to have been recovered from the truck and investigation is still continuing.

6. Considering the submission made by learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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