

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3495 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- Excise P.S. District- Saran

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Anil Kumar Son of Late Atama Rai @ Late Aatam Rai Residence of Village -
Jamuna, P.S. - Muffasil, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sadar
Excise PS Case No. 199 of 2024 instituted for the offences
under Sections 30(a), 30(c) and 32(3) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 182
litres of country made liquor was recovered from E-Rickshaw,
motorcycle and bhatti near Mathiya Chawar and 800 kg semi-
fermented Jawa was destroyed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that recovery is made from an open place, which is accessible to one and all. It is further submitted that seized vehicles do not belong to the petitioner. The petitioner is in custody since 04.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sadar Excise PS Case No. 199 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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