

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7305 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- Excise P.S. District- Aurangabad

Pankaj Kumar Son of Abhimanu Kumar Singh R/o Village - Chauriya, P.S.-
Fesar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Nandan Abhishek, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehend his arrest in connection with Aurangabad Sadar Excise P.S. Case No.13 of 2025 lodged on 04.01.2025, for the offences punishable under Sections 30(a), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution, FIR has been lodged against the three named accused persons including the petitioner with allegation that there is recovery of 40 liter of wine has been made, which is subject matter of the present case.



4. Learned Counsel for the petitioners submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. He further submits that the co-accused person has disclosed that the said alleged recovered has been given by the present petitioner.

5. Counsel submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail.

6. Learned APP for the State opposes the prayer for bail and submits that the petitioner is named in the F.I.R.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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