

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15513 of 2025

Arising Out of PS. Case No.-349 Year-2024 Thana- EXCISE MADHUBAN District- East
Champaran

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Munna Kumar Sahani @ Munna Sahani Son of Vasudev Sahani @ Basudev
Sahani @ Vasdev Sahani Resident of Village-Khatolwa, P.S.-Kalyanpur,
District-East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 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 ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Excise (Madhuban) P.S. Case No. 349 of 2024, lodged on 06.10.2024, under Sections 30(a)/44 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of about 172 litres of illicit Indian Made Foreign Liquor has been the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the possession of the petitioner. Counsel submits that criminal antecedent of the petitioner is not clean. There are one criminal case of identical nature is pending. Counsel submits that petitioner's name has come by virtue of confessional statement of the co-accused.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that antecedent of the petitioner is not clean. There are one criminal case of identical nature is pending against the petitioner.

6. Considering the criminal antecedent of the petitioner, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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