

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13308 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- Patauna District- Madhubani

Bhogendra Kumar Kamat @ Bhogendra Kamat S/o Ramchandra Kamat @
China Kamat Resident of Village- Jafara, Police Station- Patauna, Distt.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present Cr. Misc. 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 apprehends his arrest in connection with Patauna P.S. Case No. 79 of 2024 lodged on 08.12.2024, for the offence punishable under Sections 274 & 275 of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023") and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 14.250 litres of illicit liquor has been made which is 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 also submits that nothing has been recovered from the conscious possession of the petitioner, rather, the said recovery has been made from a field concealed under straw. Counsel further submits that petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional District & Sessions Judge-2-cum-Special Judge, Excise Act, Madhubani, in connection with Patauna P.S. Case No. 79 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Divyansh/-

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