

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13329 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- KAMTAUL District- Darbhanga

Uday Kumar Son of Mahesh Yadav Resident of Village / Mohallah -
Bhawanipur, P.S. - Singhwara, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Ms. Asha Devi, 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 Kamtaul P.S. Case No. 210 of 2024 lodged on 25.07.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against three unknown persons. Total recovery of 21.600 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 petitioner is not named in the FIR. Counsel



submits that the alleged recovery has been made from a motorcycle which is registered in the name of petitioner's mother. Counsel submits that petitioner's mother has given the said motorcycle to one co-villager family friend who was in need, but the said person has misused the motorcycle in the absence of knowledge of petitioner or his mother. 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 1st Special Judge (Excise), Darbhanga, in connection with Kamtaul P.S. Case No. 210 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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