

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15868 of 2025

Arising Out of PS. Case No.-286 Year-2024 Thana- UCHKAGAON District- Gopalganj

Manish Kumar @ Manish Rai S/o- Ashok Ram Vill-Bhuvala, P.O- Bhuvala,
P.S- Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P

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 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 Uchkagaon P.S. Case No. 286 of 2024 lodged on 01.09.2024, for the offence punishable under Sections 317(5), 318(4), 338, 336(3), 340(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023") read with 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 11.200 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 and petitioner has not been arrested from the place of occurrence. Counsel submits that the alleged liquor has been recovered from a bike which does not belong to the petitioner and his name has been figured in this case only by virtue of secret information. 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 Judge-XIII-cum-Special Excise Court No.I, Gopalganj, in connection with Uchkagaon



P.S. Case No. 286 of 2024, subject to the conditions as laid
down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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