

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19379 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- CHENARI District- Rohtas

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Sumer Bind Son of Devansh Bind @ Dev Vansh Bind Village -Datauli PS-
Chenari, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajendra Kumar Deo, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 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 "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Chenari P.S. Case No.404 of 2024 lodged on 05.12.2024, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the allegation of total 12 liters of mahua liquor has been recovered from a white bora, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has been falsely implicated in the



present case. He further submits that said recovery has not been made from conscious possession of the petitioner. He further submits that petitioner's name has come in this case by virtue of confessional statement of co-accused.

5. Counsel submits that the criminal antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is clean and ingredients under Excise Act has not made out against the petitioner.

7. 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 learned Court below 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 Exclusive Special Judge Excise Court No.I, Rohtas, in connection with Chenari P.S. Case No.404 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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