

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15885 of 2025

Arising Out of PS. Case No.-268 Year-2024 Thana- DEWARIA District- Muzaffarpur

Manjay Rai S/O Harihar Rai Resident of Village- Deoria miskari tola, P.S.-
Deoria, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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 arrest in connection with Deoria P.S. Case No. 268 of 2024, dated 27.11.2024, lodged under Sections 274 & 275 of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 30.600 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



further submits that nothing has been recovered from the possession of the petitioner rather, the said recovery was made from the banana orchard of Anku Kumar. Counsel further submits that the petitioner has no criminal antecedents under the Excise Act, but there is one pending criminal case against the petitioner under Section 307 of the Indian Penal Code.

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 Exclusive Special Judge Excise Court- II, Muzaffarpur, in connection with Deoria P.S. Case No. 268 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Aman Kumar/-

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