

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17642 of 2025

Arising Out of PS. Case No.-932 Year-2024 Thana- Excise P.S. District- Bhagalpur

1. Nawal Kishore Khowala S/o- Late Murli Dhar Khowala Resident of Karunamoyee housing Estate Salt Lake City, Bidhan Nagar P.S-Jorabagan, Kolkata
2. Anil Kumar Modi S/o- Sri Arjun Prasad Modi R/o- Bl-8, FLT-6B, Dimond City North 68, Jessore Road Bangur Avenue, P.S- Damdam ,North 24 Parganas W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Excise Sadar P.S. Case No. 932 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 568.800 litres of foreign liquor was recovered from truck and two tempo.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence



as alleged against him and has falsely been implicated in the present case. Petitioners have no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioners. It is submitted that petitioners are neither the owner nor the driver of seized any of the vehicles. It is further submitted that petitioners are partner cum owner of Ma Kali Transport Agency. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* orders dated 07.02.2025 and 14.02.2025 passed in Cr. Misc. Nos. 7607 of 2025 and 10238 of 2025 respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor
court in connection with Excise Sadar P.S. Case No. 932 of
2024, subject to the conditions as laid down under Section
482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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