

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19479 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- PAKRIDAYAL District- East Champaran

Sujay Kumar @ Suraj Kumar @ Sujay Prasad Son of Laldan Bhagat Resident
of Village - Dumarbana Ward No.- 15, Police Station - Pakaridayal, District -
East Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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 Pakaridayal P.S. Case No.26 of 2025 lodged on 18.01.2025, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, the allegation of total 26.250 liters of foreign liquor have been recovered which is hidden in paddy straw, 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 the said recovery has not been made from conscious possession of the petitioner and the said recovery has been made from a public place where petitioner's straw used to be kept. He further submits that petitioner's name has come in this case by virtue of local chowkidar.

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 Excise Court No.III, East
Champan, Motihari, in connection with Pakaridayal P.S. Case
No.26 of 2025, subject to the conditions as laid down U/s
482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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