

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19457 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- MADHAURAH District- Saran

Dara Ram S/O Fuleshwar Ram R/O Village- Bikrampur, P.S- Marhowrah,
Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, 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 Marhowrah P.S. Case No.05 of 2025 lodged on 05.01.2025, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, the allegation of total 660 liters of country made liquor have been recovered upon raid, which is subject matter of the present case. It has also alleged that 500 liters of liquor have been destroyed by the police.



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 apprehended accused persons.

5. Counsel submits that the criminal antecedent of the petitioner is not clean. There is only one criminal case pending against the petitioner which is not relating to excise matter.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean. One criminal case is pending against him other than excise matter 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 2nd Exclusive Special Excise Judge, Saran at



Chapra, in connection with Marhowrah P.S. Case No.05 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

