

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19540 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- Chhaudahi District- Begusarai

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Gulshan Kumar S/o Shyamdev Yadav Resident of village- Patahi, PS-
Chhaurahi, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 No one appears on behalf of the petitioner. However,

learned APP for the State is present.

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 is apprehending arrest in connection with Chhaurahi P.S. Case No. 24 of 2025, lodged on 20.02.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 91.875 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned APP for the State opposes the prayer for bail of the petitioner and submits that, from the seizure list, it becomes crystal clear that the said recovery was made from Village Amaridih, Begusarai. It is further submitted that, as per



the allegation, the recovery was made from the house of Gopal Sada and not from the petitioner, however, the petitioner's name has figured in this case by virtue of the confessional statement of the local *chowkidar*. Learned APP further submits that the petitioner does not have a clean criminal antecedent, as four criminal cases are pending against him, in which he is presently on bail.

5. In the present facts and circumstances of the case, as well as the fact that the petitioner does not have clean antecedents, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

6. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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