

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23511 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Excise P.S. District- Samastipur

Shanti Devi W/o Chandu Mahto R/o - Mahurapur, P.S - Mathurapur, District -
Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 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 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Sadar Excise P.S. Case No. 27 of 2025, lodged on 30.01.2025, under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution, total recovery of 32 liters of country made liquor is the subject matter of the present case. Petitioner has been made accused by virtue of owner of the vehicle from where recovery has been made.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He



submits that the apprehended accused persons is the co-villager of the petitioner who has taken motorcycle from the petitioner for urgent purpose and the petitioner is completely unaware that his motorcycle has been used for such illegal purpose. Counsel also submits that antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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 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 learned Special Judge (Excise) 02, Samastipur, in connection with Sadar Excise P.S. Case No. 27 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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