

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23484 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- KANTI District- Muzaffarpur

Lakhindra Bhagat @ Lakhindra Kumar S/o Kishun Bhagat R/o Village-
Kharika Panapur, P.S.- Kanti, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, 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 Kanti P.S. Case No. 20 of 2025, lodged on 18.01.2025, under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 996.09 liters of illicit foreign liquor is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Counsel submits that antecedent of the petitioner is not clean. There are three criminal cases pending against the petitioner. Counsel submits that 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 and submits that antecedent of the petitioner is not clean.

6. Considering that out of three antecedents of the petitioner, two antecedents are of Excise Act and recovery is 996.09 litres, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the Trial Court upon going through the factual matrix of this case that whether ingredient of the Excise Act is available or not shall decide the same in course of the day without being prejudiced by the present order of this Court.

(Dr. Anshuman, J)

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