

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29608 of 2025

Arising Out of PS. Case No.-546 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Kanhaiya Kumar S/O Shankar Tanti R/O Village- Khamahar, P.S- Begusarai
Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saket Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Begusarai Muffasil PS Case No. 546 of 2022 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act and Sections 272, 273 & 120B of the IPC. Earlier vide order
dated 11-08-2023, passed in Cr. Misc. No. 50635 of 2023,
anticipatory bail of the petitioner was rejected by a Co-ordinate
Bench of this Court.

3. The prosecution case, in short, is that 1228.620
liters of foreign liquor was recovered from a Bolero pickup van.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that petitioner is neither the owner nor the driver of the vehicle in question. The petitioner is in custody since 19-03-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Begusarai Muffasil PS Case No. 546 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj kishore/-

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

