

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29205 of 2025

Arising Out of PS. Case No.-723 Year-2024 Thana- Excise P.S. District- Nawada

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Amarjit Kumar S/o Chhatradhari Prasad Yadav Resident of Village- Talbati,
P.S.- Akbarpur, Distt.- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Verma, Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Excise P.S. Case No.723 of 2024,
dated.16.10.2024 registered for the offences punishable under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act,
2016.

3. As per allegation, 16 litre of liquor has been
recovered from Rohit Kumar, who was driving the motorcycle
and as per his confessional statement, he has purchased the
liquor from one Amrajeet Kumar.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner has nothing to do



with the alleged recovery of liquor. He also submits that he is not involved in any sale or purchase of liquor and his name has transpired in the confessional statement of the co-accused which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Excise P.S. Case No.723 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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