

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26210 of 2025

Arising Out of PS. Case No.-318 Year-2023 Thana- KALYANPUR District- Samastipur

Arman Alam S/O- Kamare Alam @ Kamre Alam Vilage - Afzala Balia ,
Police station - Biraul , District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kalyanpur P.S. Case No. 318 of 2023 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

3. The prosecution case, in short, is that 134.250
liters foreign liquor was recovered from five different vehicles
(one car, three motorcycles and one scooty).

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 name of the petitioner has transpired in this case as registered owner of the car in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is a man of clean antecedent. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been enlarged on anticipatory bail by a Co-ordinate Bench of this Court vide order dated 19-02-2024, passed in Cr. Misc. No. 7327 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kalyanpur P.S. Case No. 318 of 2023, subject to the conditions as laid



down under Section 482(2) of the BNSS.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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