

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29928 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- Madhubani T District- Purnia

Altamas Avesh @ Awesh Son of Md Avesh Alam @ Awesh Alam Resident of
village - Madhubani Singrauli, Ward No.- 1, P.S.- Madhubani, District -
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Bidhu Ranjan, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Madhubani P.S. Case No. 59 of 2025, dated 13.03.2025,
lodged under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution, total recovery of 10.500
litres of illicit liquor has been made, which is the subject matter
of the present case.

4. Learned senior counsel for the petitioner submits
that the petitioner is innocent and has committed no offence.
Counsel further submits that the said recovery was made from
the car, and the petitioner is neither the driver nor the owner of
the said car. Counsel further submits that the petitioner's name



has figured in this case solely on the basis of the confessional statements made by the villagers. Counsel further submits that there are two criminal cases pending against the petitioner, but both are related to the Indian Penal Code and not to the Excise Act. Counsel further submits that the persons who filed the criminal cases under the Indian Penal Code have basically involved the petitioner in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 Trial Court 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 Exclusive Special Excise Court No. 1, Purnea., in connection with Madhubani P.S. Case No. 59 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

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