

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34550 of 2025

Arising Out of PS. Case No.-385 Year-2025 Thana- Excise P.S. District- Patna

Shanerab @ Shanreb @ Sanerav @ Shanrab S/O Kallu Khan @ Kallu R/o -
116 Shahpur Dasar Asmoli, P.O. and P.S.- Asmoli, District- Sambhal, U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-06-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Excise P.S. Case No. 385 of 2025, lodged on 10.03.2025, under Sections 30(a)/32/56(b) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 1630 litres of excise material has been made from a truck container and Mahindra Pickup which is the subject matter of the



present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner was completely unaware about what was loaded in the closed container of the truck. Counsel submits that petitioner is in custody since 11.03.2025 having no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the recovery has been made from a closed container of the truck and one Mahindra Pickup. Counsel submits that petitioner is the driver of the truck on which closed container was kept.

6. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail, **only after framing of the charge, if not framed, subject to deposit of rupees one lac in the account of Patna High Court Legal Services Committee**, 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 Special Excise Judge-III, Patna, in connection with Excise P.S. Case No. 385 of 2025, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023 with further



condition that **one of the bailors shall be his close relative**
and another shall be his brother who has executed
affidavit before this Court, namely, Md. Shaney Ali, S/o.
Kailu Khan, having Aadhar No.460516145544.

(Dr. Anshuman, J)

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