

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34356 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- BELDOUR District- Khagaria

Kumod Kumar @ Kumod Yadav S/O Jay Jay Ram Yadav R/O Village- Gongi,
Post- Mahinath Nagar, P.S- Beldaur, Mahinath Nagar, Distt.- Khagaria, Bihar,
PIN- 852161.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinav Alok, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Learned Counsel for the petitioner and learned APP
for the State are present.

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 Beldaur P.S. Case No. 364 of 2024, lodged on 09.10.2024, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 30 litres of country made wine alongwith 1000 litres unprepared wine which has been destroyed are 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 also submits that petitioner is in custody since 18.02.2025, there are seven criminal cases pending against him. Counsel further submits that petitioner shall not repeat such conduct in future.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there are seven criminal antecedents of the petitioner including Excise Act.

6. In the present facts and circumstances of this case, this Court is not inclined to enlarge the petitioner on bail in connection with Beldaur P.S. Case No.364 of 2024 pending in the court of learned Exclusive Special Court No.2, Khagaria.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during trial, if he renews his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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