

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34309 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- JAYNAGAR District- Madhubani

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Harinandan Kumar S/o Kulanand Yadav R/o Vill.- Kamlawari, Goth Tol, P.S.
- Jainagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 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 Jainagar P.S. Case No. 63 of 2025, lodged on 05.03.2025, under Sections 274/275/317(5)/3(5) of the Bhartiya Nyay Sanhita, 2023 and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 630 litres of Nepali liquor has been made from four different motorcycles



in which one of the motorcycles belongs to the petitioner, 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 petitioner is in custody since 06.03.2025 and he is basically the victim and under conspiracy his name has come in this case. Counsel submits that the criminal antecedent of the petitioner is clean. He submits that charge sheet has been submitted against the petitioner. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that huge quantity of Nepali liquor has been recovered from the possession of the petitioner and his motorcycle was involved in the said case.

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** 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 Additional Sessions Judge-II-cum- Special Judge (Excise Act), Madhubani, in connection with Jainagar P.S. Case No.63 of 2025, subject to the



conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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