

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34157 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- NARPATGANJ District- Araria

Nooruddin Sekh @ Muruddin Sekh S/o Asgar Sekh Resident of village-
Rangamati, police station- chapra, district- Dhubri, Assam

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 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 Narpatganj P.S. Case No. 104 of 2025, lodged on 27.03.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 1858.2 litres of foreign liquor has been made from Tata Ultra Four Wheeler Vehicle and petitioner is alleged to be a Khalasi of the seized vehicle.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that the recovery of alleged foreign liquor has been made from the vehicle in question. Counsel further submits that the petitioner has clean antecedent and no recovery has been made from the petitioner's possession. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him, he is in custody since 27.03.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is resident of Assam and there is chances that he shall abscond after grant of bail.

6. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail **subject to payment of Rs.50,000/- (Rupees Fifty Thousand) to the Excise Department, Government of Bihar**, 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 Judge, Excise Court-1, Araria in connection with Narpatganj P.S. Case No. 104 of 2025, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023, with further conditions:-

(i) one of the bailor should be the close relative of the



petitioner who shall provide official document to show his *bonafide*.

(ii) Another bailor shall be a local person.

(Dr. Anshuman, J)

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