

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34681 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Hareram Kumar S/o Lal Babu Singh R/o Village- Asani, P.S.- Udawantnagar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Priya, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. 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”) for seeking regular bail in connection with Udawantnagar P.S. Case No.192 of 2025 lodged on 14.04.2025 under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution, the total recovery of 125 litres of *country-made mahua* liquor have been alleged to be made from the bank of river Banas, 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



also submits that petitioner has been falsely implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioner. He further submits that petitioner's name has figured in this case at the instance of police when petitioner started fleeing away from the place of recovery.

5. Learned Counsel further submits that petitioner is in custody since 15.04.2025 having four criminal antecedent. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that non-compliance of Section 303 of the BNS has been made in this case.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner's antecedent is not clean. He further submits that petitioner has been apprehended nearby place of the recovery.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed** as well as on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, on



furnishing bail bonds 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 Judge, Excise Court No.02, Bhojpur at Ara in connection with Udawantnagar P.S. Case No.192 of 2025, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the following condition:-

(i) the petitioner shall appear before the concerned police station every month for one year to mark attendance.

8. The details of the cases which are pending against the petitioner, are as follows:-

- i. Udawantnagar P.S. Case No.101 of 2024.
- ii. Udawantnagar P.S. Case No.217 of 2024.
- iii. Udawantnagar P.S. Case No.373 of 2023.
- iv. Udawantnagar P.S. Case no.205 of 2017.

(Dr. Anshuman, J.)

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