

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36626 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

Upendra Rawat S/o- Garhan Rawat Village- Usari Ps- Baikunthpur Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Baikunthpur P.S. Case No.100 of 2025 lodged on 17.03.2025, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution, the total recovery of 100 litres country-made wine have been made from a field, which is 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 nothing has been recovered from petitioner's



possession. The said recovery has been made from a field. He further submits that petitioner's name has figured in this case only and only at the instance of local *chowkidar* with whom petitioner's relation is not good.

5. Counsel submits that the criminal antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that antecedent of the petitioner is clean.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, 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 Addl. District and Sessions Judge-XIII -cum- Special Excise Court No.1, Gopalganj, in connection with Baikunthpur P.S. Case No.100 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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