

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36630 of 2025**

Arising Out of PS. Case No.-29 Year-2025 Thana- Shahartelpa P.S. District- Arwal

Bhola Miyan @ Md. Ali S/o Kamal Miyan Vill.- Shahar Telpa, PS- Shahar  
Telpa, Distt.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shivendra Prasad, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, 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 Shahar Telpa P.S. Case No.29 of 2025 lodged on 18.03.2025, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the total recovery of 40.5 litres illicit wine have been made from a room where cattle fodder were kept, 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 room and petitioner has no concern from the place where the said recovery has been made. He further submits that petitioner's name has figured in this case by confidential information.

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 Special Judge Excise II, Jehanabad, in connection with Shahar Telpa P.S. Case No.29 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

**(Dr. Anshuman, J.)**

Prakashmani/-

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