

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38831 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- WAJIRGANJ District- Gaya

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Sambhu Kumar S/o Late Suresh Yadav R/o Village- Bhareti, P.S.- Wazirganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 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 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Wazirganj P.S. Case No. 70 of 2025, lodged on 04.02.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 100 litres of foreign liquor has been made 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 the petitioner is the owner of the vehicle and his name has come by virtue of being owner of the vehicle and apprehended person is not the petitioner. He submits that the criminal antecedent of the petitioner is clean. 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.

6. Considering the fact that recovery has not been made from the possession of the petitioner, 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 Exclusive Special Excise, Court No.V, Gaya, in connection with Wazirganj P.S. Case No. 70 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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