

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39631 of 2025

Arising Out of PS. Case No.-104 Year-2023 Thana- KADIRGANJ District- Patna

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Anil Kumar S/o Mahesh prasad Resident of Village- Balapar, P.S-Dhanarua,
Dist- Patna

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P

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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 petitioner is apprehending arrest in connection
with Kadirganj P.S. Case No. 104 of 2023 lodged on
26.08.2023, for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 30 litres of
desi mahua 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 recovery of alleged liquor has been made from
a motorcycle which does not belong to the petitioner and his
name has figured in this case only by virtue of a confessional



statement of the co-accused. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and he has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner has no criminal antecedent.

6. 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 Trial Court 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 Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Special Judge, Excise-II, Patna, in connection with Kadirganj P.S. Case No. 104 of 2023, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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