

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38975 of 2025

Arising Out of PS. Case No.-797 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Brijesh Kumar Pandey Son of Ramdhani Pandey R/o vill - Lakuwa Shahid
Goan , P.S- Dhanapar Distt.- Chandauli (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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 Kaimur Prohibition & Excise P.S. Case No. 797 of 2024, lodged on 15.10.2024, under Sections 30(a)/32(1)/32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 18 liters of country-made 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 said recovery has been made from a vehicle which he has already sold to one Sandeep Yadav. He submits that he has annexed Annexure-2, which is a non-judicial stamp on which transaction has taken place.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that antecedent of the petitioner is clean and document relating to agreement for sale is attached.

6. 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, Kaimur at Bhabhua, in connection with Kaimur Excise P.S. Case No.797 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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