

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39035 of 2025**

Arising Out of PS. Case No.-7 Year-2025 Thana- SAKRI District- Madhubani

Baleshwar Saday @ Baleshwar Son of Late Garbhu Saday Resident of village  
- Nawada Mushari (Sakuri), P.S.- Sakri, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                            |
|--------------------------|---|------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Gagandeo Yadav, Advocate<br>Mr. Rajesh Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Amitesh Kumar, 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 petitioner is apprehending arrest in connection with Sakri P.S. Case No. 07 of 2025, dated 20.01.2025, lodged under Sections 274 & 275 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act 2022.

3. As per the prosecution, total recovery of 20 litres of illicit 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. He further



submits that nothing has been recovered from the petitioner's possession, rather, the recovery was made from behind the house. Counsel further submits that the petitioner has clean criminal antecedent. Counsel also submits that the petitioner is ready to fulfill all the conditions that may be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

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 BNSS, 2023 to the satisfaction of Exclusive Special Judge (Excise Court), Madhubani, in connection with Sakri P.S. Case No. 07 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

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

Aman Kumar/-

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