

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39596 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- MINAPUR District- Muzaffarpur

Nandlal Kumar Son of Balendra Das R/O Village-Sonwarsa, PS-Motipur,
Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, 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 Minapur P.S. Case No. 25 of 2025, dated 25.01.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 142.95 litres of illicit 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 possession of the petitioner, rather, the said recovery was made from a vehicle that was being operated by a driver and a khalasi. Counsel further submits that the petitioner is not named in the FIR and his name has figured only because he is the owner of the seized vehicle. It is also submitted that the petitioner was completely



unaware that his vehicle was being used for such illegal activities. Counsel further submits that the criminal antecedent of the petitioner is clean in terms of the Excise Act, though two other cases, unrelated to excise matters, are pending against him. He further 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 and submits that there are two criminal cases pending against him, however, both cases are not related to offences under the Excise Act.

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 Court Excise- I, Muzaffarpur, in connection with Minapur P.S. Case No. 25 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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