

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43918 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- EXCISE GOGRI District- Khagaria

Lalan Kumar S/o Late Sitaram Sah R/o Vill- Pachot, Ward No. 10, P.S.-
Beldaur, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 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 "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Gogari Excise P.S. Case No.47 of 2025 lodged on 05.05.2025, for the offences punishable under Sections 30(a) and 30(f) of the Bihar Prohibition and Excise (Amendment) Act, 2016 and 2018.

3. As per the prosecution, the total recovery of 6.615 litres of foreign liquor and 25 liters of country made wine have been made from a court yard, 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



also submits that petitioner was not present on the place of occurrence and the said recovery has been made from a open field. He further submits that his name has been transpired only on suspicion. Counsel further submits that criminal antecedent of the petitioner is not clean as there are two cases pending against him in which in all the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are two cases pending against him relating to excise matter.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

