

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43721 of 2025

Arising Out of PS. Case No.-191 Year-2019 Thana- BAHADURGANJ District- Kishanganj

Md. Shahid Anwer @ Md Shahid Anwar S/O Mohammad Shakiluddin R/O
Village- Hatgaon Marichgaon, Ward No. 12, P.S- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 No one appears on behalf of the petitioner.

However, learned Counsel for the State is present.

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 Special Case No.225 of 2019, arising out of Bahadurganj P.S. Case No. 191 of 2019, lodged on 01.07.2019, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, total recovery of 89 litres of foreign liquor has been made which is the subject matter of the present case.

4. It has been pleaded by the petitioner that he is innocent and has committed no offence. It has been pleaded



that the said recovery has not been made from the petitioner's possession; rather petitioner's name has come by virtue of the person who was apprehended in the present case. It has been pleaded by the petitioner in the petition that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and fairly submits that the petitioner's name has come in this case by virtue of confessional statement of the co-accused and antecedent of the petitioner is clean.

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 Exclusive Special Judge (Excise-I), Kishanganj, in connection with Special Case No.225 of 2019, arising out of Bahadurganj P.S. Case No. 191 of 2019, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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