

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47115 of 2025

Arising Out of PS. Case No.-156 Year-2025 Thana- MALSALAMI District- Patna

Uma Prasad S/o Baijnath Saw Resident of Char Hazar Mohalla, Maner, P.S.-
Manger, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 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 ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Malsalami P.S. Case No.156 of 2025, lodged on 02.04.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 150 litres of country-made liquor has been made from the tempo of the petitioner, 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 is the owner of the said tempo. He submits that antecedent of the petitioner is clean. Counsel submits that he has given his tempo to the driver to ply on daily basis and he was completely unaware about the recovered liquor. He has no concern with the alleged recovered country-made liquor.

5. Learned APP for the State opposes the prayer for bail of the petitioner and fairly submits that antecedent of the petitioner is clean.

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 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, Patna City, Patna, in connection with Malsalami P.S. Case No. 156 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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