

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50828 of 2025

Arising Out of PS. Case No.-335 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Gulshan Kumar Singh @ Gulshan Kumar S/O Nagendra Singh R/O Vill -
Sobaiya, P.S.- Kotwa, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 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 Town P.S. Case No. 335 of 2025, lodged on 22.04.2025, under Sections 30(a)/41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 53.250 litres of foreign 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. Counsel



submits that nothing incriminating has been recovered from the possession of the petitioner. He submits that petitioner is neither the owner of the alleged house nor the tenant of that house. He submits that petitioner has not been apprehended from the spot. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and 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 Court No. I, East Champaran, Motihari, in connection with Town P.S. Case No.335 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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