

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50805 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- Excise P.S. District- Samastipur

Chintu Kumar S/O Gopal Sah Village- Chandopatti P.S.- Karpoorigram,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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 Sadar Excise P.S. Case No. 108 of 2025, lodged on 23.04.2025, under Sections 30(a)/30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 27.500 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 antecedent of the petitioner is not clean. He submits that nothing incriminating has been recovered from the possession of the petitioner. He submits that only on the basis of suspicion he has been implicated in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that antecedent of the petitioner is not clean and there is one criminal case of identical nature is pending against him.

6. Considering the criminal antecedent as well as allegation against the petitioner, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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