

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51044 of 2025

Arising Out of PS. Case No.-408 Year-2024 Thana- Excise P.S. District- Kishanganj

Anand Kumar S/o Binod Kumar Basak Resident of Tanti Basti, Ward No 6,
P.S.- Kisanganj, Dist.- Kisanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Spl. Case No.418 of 2024 arising out of Kisanganj Madya Nished (utpad thana) P.S. Case No.408 of 2024, for the offence punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016 (Amendment), 2018.

3. As per the prosecution, the total recovery of 5.5 litres of *illicit* liquor have been alleged to be made from a motorcycle, 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 spot and his name has been transpired due to owner of the said vehicle. Counsel further submits that criminal antecedent of the



petitioner is clean. He further submits that his vehicle has been used by his friend for such illegal work. He further submits that nothing has been recovered from conscious possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal 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 Exclusive Special Judge, Excise-II, Kishanganj, in connection with Spl. Case No.418 of 2024 arising out of Kishanganj Madya Nished (utpad thana) P.S. Case No.408 of 2024,, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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