

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52043 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- BATIYA District- Jamui

Kaushal Kumar son of Suresh Yadav @ Suvesh Yadav Resident of Village-
Ishopur P S- Roh District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 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 Batiya P.S. Case No. 33 of 2025, lodged on 14.05.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 2.225 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 the petitioner was the driver of the vehicle and on the said vehicle co-driver was also present. Counsel submits that the criminal antecedent of the petitioner is clean. He submits that the petitioner was not 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 but 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 A.D.J., Exclusive Special Excise Court-2, Jamui, in connection with Batiya P.S. Case No. 33 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. The Trial Court, at the time of accepting the bail bond of the petitioner, shall verify the petitioner's criminal



antecedent, and if it is found that the petitioner has suppressed any fact regarding his/her criminal antecedent, he/she shall not be released on bail.

(Dr. Anshuman, J)

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