

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64937 of 2025

Arising Out of PS. Case No.-382 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

Amit Kumar Bind @ Amit Bind, Son of Devraj Bin, Resident of Village -
Akhaupur Gola, P.S.- Buxar (M), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-09-2025 1. Heard Mr. Arun Kumar Gupta, learned counsel

for the petitioner and Mr. Md. Anzarul Haque Sahara, learned APP

for the State.

2. The petitioner apprehends his arrest in connection
with Buxar (M) P.S. Case No. 382 of 2022, dated 31.08.2022,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 52.2 litres of country made liquor from the house of
co-accused Kunti Devi and the petitioner has no connection to the
place of recovery and he has been made accused mainly on the
basis of the disclosure made by apprehended co-accused Kunti
Devi, with whom the petitioner's father has no good relations and
in this regard, a specific statement has been made in paragraph
no.8 of the petition. It is further submitted that the materials upon



which the prosecution's allegation is based against this petitioner are neither admissible in the eye of law nor sufficient to attract the alleged offence under Excise Act even *prima facie* against this petitioner, hence, his prayer for anticipatory bail is not hit by the provisions of Section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the bail prayer of petitioner.

5. In the facts and circumstances of this case as well as considering the submissions as stated above, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Buxar (M) P.S. Case No. 382 of 2022 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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