

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15336 of 2026

Arising Out of PS. Case No.-93 Year-2021 Thana- AMBA District- Aurangabad

Neeraj Kumar @ Niraj Kumar Son of Ramesh Yadav @ Ramesh Kumar
Yadav Resident Of Village- Tendua Pokhar, Ps- Aurangabad Mufassil, Dist-
Aurnagabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 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 Amba P.S. Case No. 93 of 2021, lodged on 19.07.2021, under Sections 30(a)/41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018, pending in the Court of Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No.I, Aurangabad.

3. As per the prosecution, total recovery of 40 litres of country-made *mahua* 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. It is contended that the petitioner has been falsely implicated in the present case merely on suspicion arising from an extra-judicial confession allegedly made by a co-accused. The counsel further submits that the petitioner has no connection whatsoever with the alleged seizure of illicit liquor. It is also stated that, although the petitioner does not have a clean antecedent and three criminal cases relating to excise matters are pending against him. Counsel submits that the 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 criminal antecedents of the petitioner are not good.

6. Considering the similar types of criminal antecedents, the prayer for anticipatory bail of petitioner is hereby refused. 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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