

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10980 of 2022**

Arising Out of PS. Case No.-405 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

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NITESH RAJ GUPTA @ NISHU KUMAR Son of Krit Chandra Gupta @
Krishnachandra Gupta Resident of Behind of Namskar Hotel, P.S.-
Madhubani Town, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr. Addl. Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 29-07-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner apprehends his arrest in a case
registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act and Sections 272/273/34 of the IPC.

1061.580 liters of illicit wine has been recovered near
a hotel and name of petitioner transpired during course of
investigation.

It is submitted that nothing has been recovered from
the conscious possession of the petitioner. Petitioner is neither
owner nor Manager of the hotel in question.

However, learned A.P.P. for the State vehemently
opposed the prayer for anticipatory bail and submitted that
petitioner has got one criminal antecedent of similar nature.



Considering the fact that petitioner has got criminal antecedent of similar nature, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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