

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57006 of 2023**

Arising Out of PS. Case No.-87 Year-2023 Thana- BANGARA District- Samastipur

VIKASH KUMAR SON OF LATE GANESH KUMAR SAH @ LATE  
GANESH SAH RESIDENT OF VILLAGE - KOTHIYA, POLICE STATION  
-NATIONAL HIGHWAY BANGRA, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      11-10-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with National Highway Bangra P.S. Case No. 87 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. Altogether 30.060 litres of illicit foreign liquor has been recovered from the house of petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or any trade of liquor. The



allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. Petitioner has one criminal antecedent of similar nature that of the present case.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and the criminal antecedents of the petitioner, I am not inclined to enlarge him on anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is hereby rejected.

**(Anjani Kumar Sharan, J)**

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