

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72580 of 2022

Arising Out of PS. Case No.-693 Year-2022 Thana- AGAMKUAN District- Patna

AKHILESH PRASAD Son of Late Radho Prasad R/o Mohalla - Lakhanpura,
Ward No.- 05, P.S.- Agamkuan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh

For the Opposite Party/s: Mrs. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in connection with Agamkuan P.S. Case No.693 of 2022, registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Amendment Act, 2018.

Altogether 120.570 liters of illicit liquor is said to have been recovered from the house of the petitioner. Two persons were apprehended on the spot and they disclosed the name of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either



with the seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot and his name transpired in the case only on the basis that he is owner of the house from where the recovery has been made. He further submits that the petitioner has no concern with the arrested co-accused persons, except that arrested accused persons were tenant of the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the recovery has been made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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