

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76711 of 2023

Arising Out of PS. Case No.-372 Year-2023 Thana- FATUA District- Patna

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Dharamnath Kumar, aged about 25 years, male, son of Lal Bahadur Rai
Village- Bahrapur Saistapur Ps- Raghapur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Fatuha PS Case No.372 of 2023 dated 19.05.2023, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 18 litres illicit foreign
liquor from the motorcycle bearing registration no. BR 01 HC
3111, which is registered in the name of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is further submitted that the petitioner has been
implicated in this case only because of the fact that he is the
owner of the motorcycle from which illicit liquor was
recovered. It is further submitted that the said motorcycle was



taken away by co-accused Sandeep Kumar on the pretext of taking his ailing mother to a doctor for her checkup.

5. Learned APP has opposed the prayer for bail.

6. Since recovery of illicit liquor has been made from the motorcycle of the petitioner, I am not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, prayer of the petitioner for grant of anticipatory bail is rejected.

8. The application stands disposed of.

(Khatim Reza, J)

J. Alam/-

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