

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26810 of 2024**

Arising Out of PS. Case No.-18 Year-2024 Thana- RIGA District- Sitamarhi

Raj Kumar Sah @ Raj Kumar, aged about 46 years, Gender-Male, S/o Late
Shri Bhagwan Sah, R/o Ward No. 11, Bhavdepur, P.S. Riga, Dist. Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate
For the Opposite Party : Mr. Md. Nazir Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Riga P.S. Case No. 18 of 2024 dated
26.01.2024 registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Exise (Amendment) Act,
2022.

3. As per the prosecution case, 720 litres of Nepali Saufi
liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that nothing has been recovered from the conscious possession of the petitioner rather the recovery of the alleged liquor has been made from the joint house of the petitioner where the entire family members are residing. The petitioner has no concern with the alleged offence. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application.

5.Learned A.P.P. for the State has opposed the prayer for anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner and the same is rejected with a direction to the petitioner to surrender before the learned court below within a period of six weeks from the date of receipt/production of a copy of this order and the learned court below may consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced of the order of this Court in connection with Riga P.S. Case No. 18 of 2024, pending in the court of learned Exclusive Special Excise Court No. 1, Sitamarhi.

7. Accordingly, the anticipatory bail application of the



petitioner stands rejected.

(Chandra Prakash Singh, J)

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