

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29944 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Ashwani Singh @ Ashwani S/O Datadin Singh R/O Ramjanbari, Dharbar,
Bapi, P.S- Bapi, Distt.- Bapi (GUJRAT).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv

For the Opposite Party/s : Mr.Nand Kumar, APP

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ram Krishna Nagar P.S. Case No. 07 of 2024 dated 04.01.2024 for the offences punishable u/s 30(a), 30(c), 30(f), 33, 34(b), 41(1) of the Bihar Prohibition and Excise Act 2016.

3. As per the prosecution case, total 3940 litres of illicit liquor was recovered from the godown of Divya Cargo Movers situated in Jakriyapur Gas Godown Gali.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has no



concern with the alleged recovery. The name of the petitioner was disclosed by the apprehended co-accused person. The apprehended person disclosed that the petitioner is the owner of the seized godown. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no other criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the godown which belongs to the petitioner..

6. Considering the aforesaid facts and circumstances of the case, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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