

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34490 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- DAGARUA District- Purnia

Amish Kumar @ Abhish Kumar Son of Hareram Yadav Residence of Village
- Gyantola, Sandalpur, P.S.- Sahebpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dagrua P.S Case No. 03 of 2024 instituted for the offence punishable under Sections 30(A) of the Bihar Prohibition of Excise Act 2016.

3. As per prosecution case, total 43.5 litre illicit liquor were recovered from the tractor vehicle of the petitioner.

4. Learned counsel for the petitioner submits that falsely been implicated in this case and no incriminating article has been recovered from the possession of the petitioner.



5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that investigation of the petitioner in the matter is going on and if he is released on anticipatory bail then the investigation will be affected adversely.

6. From perusal of the F.I.R., impugned order and case diary, it appears that total 43.5 litre illicit english wine recovered from the said tractor and driver of the said tractor arrested on the spot and it is anticipated that petitioner is owner of the vehicle in question. *Prima facie*, it appears involvement of the petitioner in this case.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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