

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34529 of 2024

Arising Out of PS. Case No.-1797 Year-2023 Thana- Excise P.S. District- Gaya

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BASANT SHARMA SON OF BABU LAL SHARMA RESIDENT OF
MOHALLA - JANTA FLAT - 62/03, NEAR HOME GUARD OFFICE,
HARMU HOUSING COLONY, P.S. - ARGODA, DISTRICT - RANCHI
(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Excise P.S. Case No.1797 of 2023 under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, the F.I.R. has been lodged against two accused persons excluding the petitioner against whom there is alleged to recovery of codeine containing syrup which is subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner is not named in the F.I.R. He submits that



neither petitioner arrested on spot nor incriminating article has been recovered from possession of the petitioner and he has no any concern with the seized liquor.

5. Counsel also submits that antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail and submits that the recovery has been made from the vehicle which is named in the name of the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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