

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36747 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- MOHANPUR District- Samastipur

Nitesh Kumar @ Karu Ray @ Karu Son of Vinod Ray R/O Baghra, P.S.-
Shahpur Patori, Mohanpur OP, Dist.- Samastipur, Bihar- 848506

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-06-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mohanpur P.S. Case No.20 of 2024, registered for the offences punishable u/s 30(a) of Bihar Excise and Prohibition (Amendment) Act, 2016.

3. Altogether 400 litres of spirit and 79.87 litres of IMFL is said to have been recovered from the field of Musafir Ray and other articles like labels, alcohol meter, hand pump etc. have also been recovered. It is alleged that petitioner and others fled away from the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No incriminating article has been recovered from the



conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case merely on suspicion. The said field from which recovery of liquor and other articles has been made, does not belongs to the petitioner. Petitioner has no criminal antecedent.

5. Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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