

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38802 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Ranglal Kumar, S/O Shiv Charan Prasad, R/O Village- Dihiya, P.O-
Dindaylpur, P.S.-G.B Nagar, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with G.B. Nagar P.S. Case No. 318 of 2023, registered on 14.08.2023 for the offences under Sections 30(a), 34, 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about two co-accused persons bringing country made liquor on a motorcycle. The motorcycle was intercepted and two young boys were apprehended while trying to escape from the spot. On search of the motorcycle, total 90 litres of country made liquor was recovered. Petitioner is stated to be the owner of the said motorcycle.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Petitioner was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the owner of the said motorcycle and he gave the motorcycle to his neighbours for purchasing medicine, who misused the motorcycle for smuggling illicit liquor. Learned counsel further submits that apparently recovery has been made from other co-accused persons and petitioner is nothing to do with the seized liquor. Petitioner is having criminal antecedent of three cases in which he is on bail.

5. Learned APP vehemently opposes the prayer for anticipatory bail. Learned APP submits that the petitioner appears to be using juvenile children for smuggling illicit liquor and he is having criminal antecedent of three cases of similar nature. Learned APP further submits that petitioner does not appear to be the innocent owner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and the criminal antecedent of the petitioner, I do not think it is a fit case for grant of anticipatory bail to the petitioner.



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

(Arun Kumar Jha, J)

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