

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39623 of 2023**

Arising Out of PS. Case No.-514 Year-2022 Thana- UCHKAGAON District- Gopalganj

Firoj Alam @ Bechan @ Md. Firoj Alam Son Of Sainullah Resident Of  
Village- Brindaban Mauje, Ps- Uchkagaon, Distt-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      08-02-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in Uchkagaon P.S. Case No. 514 of 2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022, pending in the Court of learned Additional District and Sessions Judge-II-cum-Special Excise Court No. I, Gopalganj.

3. As per the prosecution case, 6 liter country made wine has been recovered from a gunny bag. The petitioner is said to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



nothing has been recovered from conscious possession of the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. By order dated 04.08.2023, criminal antecedents of the petitioner was called for by this Court from the Superintendent of Police, Gopalganj, thereafter, a report regarding criminal antecedent of the petitioner has been received from the S.P., Gopalganj, in which it is stated that the petitioner has the two criminal antecedents of similar nature.

6. Learned APP for the State vehemently opposing the bail and submitted that from perusal of the report it appears that the petitioner has two criminal antecedents, which has not been mentioned in this application. Thus, the petitioner has tried to suppress this fact and on this ground alone, he does not deserve privilege of anticipatory bail.

7. As petitioner has tried to suppress his criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

**(Anjani Kumar Sharan, J)**

anand/-

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