

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54091 of 2024

Arising Out of PS. Case No.-603 Year-2024 Thana- Excise P.S. District- Patna

Ritu Raj @ Vicky Son Of Virendra Prasad Village- Tira, P.S.- Harnaut (Chero
O.P.), Distt.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Excise P.S. Case
No. 603 of 2024, registered under Sections 30(a) and 56(b) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 418.68 liters
liquor was recovered from Scorpio vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submits that the petitioner was not present at the place of
occurrence. Name of the petitioner has transpired on the basis of



confessional statement of co-accused Ramji Kumar and Ayush Kumar which has got no evidentiary value. The petitioner is neither owner nor driver of the vehicle in question. The petitioner has got four criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State further submitted that the petitioner has got four criminal antecedents of same nature. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and criminal antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Prayer is rejected. However, the petitioner is directed to surrender in the Court below and prays for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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