

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46137 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- UCHKAGAON District- Gopalganj

Sanjay Sah S/O Paspati Sah R/O Birwat bazar, P.S.-Uchkagaon, Distt-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

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

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Uchakagaon P.S. Case No. 112 of 2024 instituted for the
offences under Sections 30(a), 30(b) of the Bihar Prohibition
and Excise Act.

3. Prosecution case, in short, is that total 513 liters of
illicit liquor has been recovered from bushes.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner was not present at the place of occurrence. The name of the petitioner was disclosed by the local Chowkidaar. There is no compliance of Section 100 of Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner has six criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as the several criminal antecedent of the petitioner of similar nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer is rejected. However, liberty is granted to the petitioner to surrender before the Court below and seek regular bail before the concerned Court and learned Court below shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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