

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57403 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- GOVINDPUR District- Nawada

Gaurishankar Prasad Son of Mahavir Prasad R/O Village -Mahugai, P.S.-
Thali, District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Adv.

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Govindpur P. S. Case No.95 of 2024 dated 24-03-2024,
instituted under Sections 30(a) and 41 of the Bihar Prohibition
and Excise Act.

3. The allegation is of recovery of 25 litres *Mahua*
liquor from the motorcycle bearing Registration No. BR-27S-
3921.

4. Learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of
the petitioner and he has been falsely implicated in this case.
Petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail and



submits that in view of Section 76(2) of the Bihar Prohibition and Excise Act, 2016, the anticipatory bail application is not maintainable.

6. Considering the fact that illicit *Mahua* liquor has been recovered from the motorcycle bearing Registration No. BR-27S-3921, which belongs to the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail.

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

8. The application stands disposed of.

(Khatim Reza, J)

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