

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53197 of 2024

Arising Out of PS. Case No.-242 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Ajit Singh @ Ajit Yadav Son of Ramsevak Singh @ Ramsevak Yadav R/O
Village- Asani, P.S.- Udwantnagar, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Ms. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with
Udwantnagar P.S. Case No. 242 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2018.

3. Altogether 20 litres of country made liquor has been
recovered near *Dalan* of the petitioner. One person was
apprehended on the spot and disclosed the name of the
petitioner as fled away person.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner rather 20 litres of illicit
liquor is said to have been recovered near *Dalan* of the



petitioner, which is an open place. Petitioner has no concern either with the seized liquor or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. He was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has three criminal antecedents of similar nature of the offence to that of the present case, as mentioned in para 3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the criminal antecedent of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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