

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57393 of 2024

Arising Out of PS. Case No.-203 Year-2024 Thana- BARH District- Patna

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Bhushan Yadav @ Shashi Bhushan Kumar Son of Ramchandra Yadav @
Ramchandra Prasad Resident of village - Lakhachak, P.S.- Belchhi, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Barh P.S.
Case No. 203 of 2024 registered for the offences punishable
under Sections 30(a)(b)(c)(d), 33, 34, 36 of the Bihar Excise
Prohibition Act, 2016.

3. As per the prosecution case, it is alleged that
19.500 litres of foreign liquor, 70 litres spirit altogether, 80
litres of illicit foreign liquor and some other articles which has
been used in preparing liquor were recovered 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 from perusal of the F.I.R. it is apparent that the name of the petitioner and other accused persons have been sprung up in this case only on the basis of suspicion. The petitioner has four criminal antecedents of similar nature as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is also involved in the present case.

6. Considering the facts and circumstances of case and the fact that the petitioner has four criminal antecedents of similar nature, I am not inclined to enlarge the petitioner 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 seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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