

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58955 of 2024

Arising Out of PS. Case No.-1467 Year-2024 Thana- Excise P.S. District- Patna

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Akash Kumar Gupta SON OF RAGHUNANDAN PRASAD @
RAGHUNANDAN PRASAD GUPTA VILLAGE- MOUNI BABA
THAKURBARI, SALIMPUR AHRA PS -GANDHI MAIDAN DISTRICT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 211-09-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Patna Excise Case No. 1467 of 2024, disclosing offences under Sections 30(a), 32(1)(3), 36, 41(1)(2), 56(b) of the Bihar Excise Act.

3. As per the prosecution case, the informant, on secret information, raided the shop/godown located near Krishna Niketan School in Maruti Gali of Ram Krishna Nagar Police Station at about 10:30 am where two persons, who were engaged there, were arrested after some chase and a search was conducted. On search, several items for manufacturing the illicit liquor and also ready made liquor was recovered.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case with ulterior motive by the raiding party. Nothing has been recovered from the conscious possession of the petitioner. He next submits that petitioner was not present at the place of occurrence and his name was transpired on account of persons who were arrested at the place of occurrence.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of offence and the fact that petitioner is having two criminal antecedents of similar nature which *prima facie* shows that the petitioner is habitual offender and is involved in the illegal business of manufacturing, keeping and selling the liquor, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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