

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59531 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- BHAGWANPUR District- Begusarai

Akhilesh Kumar S/o Vinod Kumar R/o vill - Makhwa, P.S. - Bhagwanpur,
Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhagwanpur P.S. Case 142/2024 dated 01.06.2024 registered for the offences punishable u/s 30(a), 30(c), 30(d), 30(f) and 36 of the Bihar Prohibition and Excise Act and Sections 272 and 273 read with Section 34 of the IPC.

3. As per the prosecution case, total 44.250 litres of illicit foreign liquor was recovered from the house of the petitioner, Akhilesh Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged



recovery. The other co-accused person has already been granted bail by this court *vide* order dated 24.07.2024 passed in Cr. Misc. No. 53362/2024. The petitioner has three criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery is made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the material available on the record, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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