

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65948 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- HATHUA District- Gopalganj

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Pramanand Prasad S/o- Aashram Prasad Resident of Village- Bati Rai Bhan
PS- Hathua, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard Mr. Sushil Kumar, learned counsel for the

petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioner apprehends his arrest in connection with
Hathua P.S. Case No. 151 of 2024 registered for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2018.

3. Altogether 3.800 litres of country made liquor has been
recovered from backside of house of the petitioner. Seeing the
police party, petitioner is said to have fled away.

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 the illicit liquor has



been recovered from the bushes situated on backside of house of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. His name has been transpired in the present case due to animosity. He was not apprehended on the spot. Learned counsel further submits that the place of recovery is an open place, which is easily accessible to anyone and therefore, petitioner had no knowledge of keeping of the said liquor in backside of his house. It is further submitted that petitioner has four criminal antecedents of similar nature of offence that of the present case.

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 antecedents of the petitioner having similar nature of offence that of the present case, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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