

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64207 of 2024

Arising Out of PS. Case No.-324 Year-2024 Thana- GAURICHAK District- Patna

Somnath S/O Sri Suresh Prasad Gupta R/o Muhalla- Jamun Gali Sabjibagh,
P.S.- Pirbahore, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard Mr. Awadhesh Kumar Mishra, 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 a case registered for the offences punishable under Section 30 (a) (c) and (d) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather huge quantity of intoxicating material, raw material and other equipment is said to have been recovered from the house of one Ananya Kumari. Petitioner is the tenant in the said house. Petitioner has no concern either with the seized articles or the



place of recovery or any trade of intoxicating article. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

5. 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 in accordance with law on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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