

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65543 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Ramesh Kumar S/O Sahadev Singh R/O Village- Muhammadpur, P.S-
Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shreyash Bhardwaj, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Special Case No. 413 of 2013 arising out of Kochadhaman P.S.
Case No. 204 of 2023 dated 26.08.2023 instituted for the offence
punishable under Sections 30(a), 32, 41, 47 of Bihar Prohibition &
Excise Act.

3. The allegation is of recovery of total 173.500 litres
foreign liquor from the dicky of a car bearing Registration no.
BR06CP3074, which belongs to the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the driver of the vehicle without
knowledge of the petitioner may have misused the car of the



petitioner. The petitioner has no concern with the seized illicit liquor. Lastly, it has been submitted that petitioner has two criminal cases against him.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Since the said illicit liquor has been recovered from the car of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail on behalf of the petitioner stands rejected.

8. However, if the petitioner surrenders before the court below within a period of six weeks and prays for regular bail, the same shall be considered and disposed of preferably, on the same day without being prejudiced by this order.

(Khatim Reza, J)

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